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1
2 Thursday, 21 August 1947
3

4 - - -

5 INTERNATIONAL MILITARY TRIBUNAL
6 FOR THE FAR EAST
7 Court House of the Tribunal
8 War Ministry Building
9 Tokyo, Japan

10 The Tribunal met, pursuant to adjournment,
11 at 0930.

12 - - -

13 Appearances:

14 For the Tribunal, all Members sitting, with
15 the exception of: HONORABLE JUSTICE I. M. ZARAYANOV,
16 Member from the USSR., not sitting from 0930 to 1600.

17 For the Prosecution Section, same as before.

18 For the Defense Section, same as before.

19 - - -

20 (English to Japanese and Japanese
21 to English interpretation was made by the
22 Language Section, INTFE.)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: Major Moore.

4 LANGUAGE ARBITER (Major Moore): If the
5 Tribunal please, we present the following language
6 corrections:

7 Record page 1626, line 8, substitute "stop"
8 for "abandon."

9 Record page 1627, line 9, substitute "stop"
10 for "abandon"; line 13, substitute "stopping" for
11 "abandoning"; line 15, substitute "stop" for "abandon."

12 Record page 19,885, line 14, read the place-
13 name "Liu-t'iau-kou."

14 THE PRESIDENT: Mr. Blewett.

15 MR. BLEWETT: The evidence relating to the
16 Mandated Islands and the participation of the Japanese
17 Navy in the Pacific War, which is next in logical se-
18 quence, will now be presented by Mr. John G. Brannon,
19 American Counsel for Admiral SHIMADA, and by Mr.
20 Samuel A. Roberts, American Counsel for Vice-Admiral
21 OKA.
22

23 Mr. Brannon will read the opening statement.

24 THE PRESIDENT: Mr. Brannon.

25 MR. BRANNON: There have been two opening
statements processed. The correct one should have the

1 word "revised" written upon it, your Honor.

2 We come now to that portion of the defense
3 which treats of matters particularly within the know-
4 ledge of the Japanese Navy. The evidence to follow
5 answers the prosecution allegations and evidence
6 relative to naval organization and education, the
7 "Washington and London Naval Treaties, the Mandated
8 Islands and naval preparations for the Pacific War.

9 From time to time the Indictment speaks of
10 the military, the civilian and naval elements. It
11 specifically charges that the military and naval groups
12 of Japan sought to increase their influence and control
13 over Japanese government officials and agencies and to
14 psychologically prepare Japanese public opinion for
15 aggressive warfare through the teaching of national-
16 istic policies of expansion and the dissemination of
17 war propaganda. Therefore, since the Prosecution has
18 elected to treat of the Navy and naval preparations
19 for war as a separate subject, we too have chosen to
20 present a sub-topic of the Pacific Phase which seeks
21 to answer and explain many of the charges thus made.
22 The matters to be presented enure to the benefit of all
23 of the accused in that they strike at the broad and
24 sweeping conspiracy charges while at the same time
25 answering other specific allegations in the Indict-

1 ment.

2 In Section 6, Appendix A of the Indictment,
3 it is charged, among other matters, that the Japanese
4 Navy was able to exert strong control over the
5 Government by virtue of a right to appoint and with-
6 hold the Navy Minister, thereby either preventing a
7 government from being formed or bringing about its
8 downfall after formation. In conjunction, it is charged
9 that in May, 1936, a regulation was promulgated which
10 restricted the occupancy of the Navy Ministry to
11 senior officers on the active list. The defense will
12 show that the Japanese Navy by teaching and custom was
13 reluctant to engage in matters of a political nature.
14 The prosecution has failed to show that any cabinet
15 in the history of Japan was either prevented from
16 being formed or caused to fall after formation as a
17 result of the Navy either refusing to appoint a minis-
18 ter or withdrawing him. The defense will further show
19 that not only was this never done, but no attempt or
20 threat to do so was ever inferred or implied. Further,
21 long before 1936, the date of the regulation deemed
22 so important by the prosecution, it will be clearly
23 revealed that the Navy Minister was always a senior
24 officer on the active list.
25

 The averment is made, in the same section of

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1 tan and catholic viewpoint. The commanding officers
2 and those senior officers upon whose shoulders rested
3 the vital decisions of the Navy were well rounded,
4 highly educated and thoroughly competent men. This
5 may be partly the answer to the fact that the Navy
6 consistently exercised a restraining influence on the
7 military of Japan.

8 There are several reasons why the Tribunal
9 should fully understand the organizational character-
10 istics of the Japanese Navy. A chart will be offered
11 in evidence which clearly reveals the chain of command
12 and illustrates the two great categories known as the
13 Navy Ministry and the General Staff. Both the Navy
14 Ministry and the General Staff were headed by men whose
15 appointment came from the Emperor. There was an over-
16 lapping and some concurrence in many of their powers,
17 but fundamentally the Navy Ministry was relegated to
18 the matters of administration, budget and personnel.
19 Whereas, on the other hand, the Naval General Staff,
20 not differing from that branch as exists in other coun-
21 tries, was the fighting unit centralizing its efforts
22 in the planning and preparations and execution of
23 strategic warfare. The part played by the Combined
24 Fleet owes its direction specifically to the General
25 Staff. The words following, "to which it was directly

1 subordinated," should be stricken. Actually, there-
2 fore, the attack of December 7 and 8 in the Pacific
3 War was an operative movement under the auspices of
4 the Naval General Staff and fundamentally without the
5 direct scope of the Navy Ministry.

6 Evidence will be offered to show exactly how
7 a Japanese naval officer advances in rank, and the
8 Tribunal will be called upon to recognize the differ-
9 ences between a political group wherein promotion is a
10 result of partisan politics, usually accompanied by
11 intricate inner maneuvering, and a military organi-
12 zation such as the Navy, where the system of advance-
13 ment to higher rank is quite a different process. Un-
14 like a political organization where an individual
15 might rise over night to a position of influence accord-
16 ing to the dictate of current events or the plotting
17 and planning of his constituents, it will be shown
18 that in the Japanese Navy an officer may have found
19 himself in a certain high naval position during a cer-
20 tain vital period of time, not as a result of personal
21 ambition, political achievement, or the currying of
22 favor, but rather as the normal function of a system
23 of promotion compatible with ability and achievement
24 in line of duty. It becomes impossible and even ridicu-
25 lous to conclude that his membership in the Navy is the

1 result of a conspiracy and that consequently his assump-
2 tion of a high-ranking office exposes him to such a
3 charge. That a good soldier and a good sailor accepts
4 his assignment no matter how high in compliance with
5 orders and the established dictate and custom of the
6 honorable profession of arms finds its precedence in
7 internationally recognized military tradition.

8 The prosecution sought to show general Japan-
9 ese naval preparations for war by dividing their approach
10 into two separate categories. The first, being Japan-
11 ese action relative to the abrogation of the Washington
12 Naval Treaty, and the second, actions taken by the Navy
13 after that date. The defense feels fortunate in hav-
14 ing as its witness relative to the Japanese position
15 in regard to naval disarmament one of the few remain-
16 ing naval experts alive today who personally attended
17 all of the conferences dating back to the first in
18 Washington in 1922. Since we have restricted all of
19 our evidence to the testimony of this one witness, his
20 affidavit is necessarily lengthy, but since it is the
21 only evidence on this point and is based upon factual
22 events and not personal opinion, we feel this method
23 of procedure is actually a time-saving device.
24

25 In Appendix A, Section 5, Paragraph (a) of
the Indictment it is charged that "about 29 December

1934 Japan denounced the Washington Naval Treaty after an unsuccessful attempt to persuade the other signatories to agree to a common upper limit of global tonnage for her own obvious advantage." The evidence to be adduced will disclose that the Japanese concept of the Washington Naval Treaty was that, as an encumbrance on aggression, it was of little value if not actually retrogressive in nature. Hence if real disarmament was honestly desired by the great powers of the world, the Japanese plan held forth the real solution. Obviously it is true that strongly interwoven in the reasoning behind Japanese objections to the then prevailing provisions of the Washington Naval Treaty was the fact that Japan was an island nation surrounded by water and depending strongly upon her naval strength to safeguard her national security. And it is further true that there existed in the hearts and minds of the Japanese people a desire for recognition as a first rate power with the right to provide a Navy paralleling their needs for security. In retrospection it becomes quite possible to impute evil motives to acts founded on the best of intentions. Hence the lengthy testimony of the witness on this matter, while not exhaustive, is extremely comprehensive and will reveal to the Tribunal the conduct and

1 thinking of the other powers who attended the dis-
2 cussion groups at those conferences in relation to the
3 Japanese views.
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In Section 5, Appendix A, Paragraph (c) of the Indictment, it is charged that Japan continually and progressively fortified the islands for which she held a Mandate from the League of Nations. This is a serious allegation with heavy implications demanding adequate reply. In the wake of prosecution evidence which consisted largely of paper testimony of illiterate natives of the various islands, the defense will produce a number of witnesses who will testify personally as to the exact condition of the Mandated Islands during the period in controversy. The prosecution produced the purported statement of one Japanese citizen relative to conditions on the island of Saipan. Although this witness resided in Japan and could have been produced by the prosecution for personal testimony, such procedure was not adopted and the defense has chosen to supply that omission by bringing the witness into court. His purported statement, as offered by the prosecution, is so vastly different from that of his oral testimony that he must either be challenged as usurping the truth, or the falsity of the prosecution evidence will stand as a glaring example of the disadvantage of accepting paper testimony in place of the witness in the box.

The gist of the evidence to be presented

1 reveals that the Mandated Islands were not fortified
2 prior to commencement of hostilities. This is a strange
3 and remarkable evidence of self-control on the part of
4 the Japanese Navy, for the very explosive nature of
5 the critical situation of world affairs then existing,
6 together with the drastic evolution of modern warfare,
7 rendered daily more obsolete and unthinkable in the
8 minds of military men the plausibility of strict obey-
9 ance of the Mandate Covenant. No one can deny the
10 military importance of these strategically located
11 bits of land in the Pacific and in face of past evid-
12 ence offered this Tribunal of allied fortification
13 of other territories in the Pacific, it will be sub-
14 mitted that Japanese inactivity in regard to forti-
15 fications was a most admirable example of self-restraint.

16 Prosecution evidence of a blueprint map of
17 Wotje Island, together with an aerial reconnaissance
18 photograph taken shortly after the commencement of war,
19 was introduced for the purpose of proving, through infer-
20 ence, construction of fortifications on that island
21 prior to commencement of hostilities. The defense
22 will produce the man who drafted the blueprint. It
23 will then be revealed that this draft was not of the
24 nature from which constructions could be built but in
25 reality was a plan map upon which a construction map

1 could have been drafted, and was used as a possible
2 basis for future plans in event of war. In looking
3 into the unpredictable future and for the purpose of
4 obtaining necessary budget allowances, the Japanese
5 Navy possessed many such plans and it will be sub-
6 mitted that had they not done so they would have been
7 derelict in their duty relative to providing a poten-
8 tial naval defense for their country. Of course, the
9 Tribunal will have to distinguish between civilian,
10 commercial or cultural developments which are capable
11 of being used by the military during wartime from
12 those constructions which are solely and purely of a
13 military nature and which unquestionably can be ident-
14 ified as fortifications.

15 Evidence thus far adduced has shown that there
16 existed a cleavage of thought between the Japanese
17 Army and Navy relative to the matter of continuation
18 of negotiations with the United States toward the
19 solution of difficulties by pacific means. But this
20 is not to say that the Navy did not feel it was
21 requisite that they be prepared for the eventuality
22 of war. It is charged in Appendix A, Section 7
23 that "from 1936 to 1945 close military, naval,
24 economic and diplomatic cooperation and exchange of
25 information were maintained between the above three

1 countries (Japan, Germany and Italy). At the request
2 of Germany, Japan from the beginning of the war on
3 December 7th and 8th, 1941, adopted the German policy
4 of ruthless submarine warfare and the destruction of
5 crews of ships sunk or captured." In answer to this
6 charge and speaking purely from the naval viewpoint
7 it will be shown that there was no cooperation between
8 Germany and Japan which should mark the efforts of
9 countries allied in a war effort. The true facts to be
10 revealed will definitely show that the anti-German
11 attitude of the Japanese Navy prevailing from prior
12 to the signature of the Tri-Partite Pact until the
13 end of hostilities expressed itself in an outright re-
14 fusel to cooperate with Germany. Japan at no time
15 accepted the German policy of submarine warfare.
16 Japan sought to confine the activities of its underseas
17 craft to destruction of allied war vessels and not com-
18 mercial shipping and supply lines. This was the great
19 principle in dispute between Germany and Japan. The
20 evidence will be that rather than Japan adopting a
21 policy of ruthless submarine warfare, the United States
22 from the beginning of hostilities pursued the program
23 of unrestricted submarine warfare with a results so
24 devastating as to be largely responsible for the final
25 capitulation of Japan.

1 It is charged in Section 5 of the same portion
2 of the Indictment that at all times and especially
3 throughout 1941 she (Japan) made secret naval plans for
4 the surprise attacks which ultimately took place. Evid-
5 ence will be offered in the nature of the testimony of
6 Japanese naval officers who participated in the drafting
7 of war plans which enunciate the definite fact that prep-
8 arations for war against the United States, Great Britain
9 and the Netherlands were not put into effect until late
10 in the year 1941 and after diplomatic negotiations had
11 all but exhausted themselves and offered no promise of
12 settling the vital issues then existing. It was at
13 this time, the closing days of 1941, that Japanese
14 military leaders were faced with the problem of prepar-
15 ing for war. The ever-increasing military strength of
16 the United States and Great Britain was secondary only
17 to the dwindling military potential of Japan. With its
18 source of oil supply all but depleted the Japanese Navy
19 realized that it was but a matter of months before the
20 allies would be able to dictate their will to Japan,
21 rather than request it over the diplomatic table. There-
22 fore, if the military and navy was to be called upon to
23 exercise its profession of arms in seeking a solution to
24 the situation, time was of the essence.
25

It is not a treacherous or duplicitous event

1 that the navy instigated precautionary procedures rela-
2 tive to preparing for hostilities at the same time that
3 diplomatic negotiations were in progress. Other nations
4 of the world shared this lack of confidence in the
5 successful termination of diplomatic negotiations as
6 well, for they too were preparing for the eventuality of
7 war. Therefore, preparation, in and of itself, can not
8 be construed as evil or as a conspiracy for aggressive
9 war, as charged by the prosecution. Evidence will be
10 presented showing the relative strengths of the Japanese
11 and American Navies, their personnel and the budget appro-
12 priations then existing. Further evidence will be given
13 of the fighting vessels under construction and comparison
14 made between the United States and Japan. The Tribunal
15 will be called upon to view the existing naval strength
16 of the Western Powers and also the omnipotent factor
17 presenting itself to the Japanese in face of the ever-
18 increasing naval potential of the United States.

19
20 The evidence will reveal it was a case of the
21 midget striking the giant in order to defend himself.
22 And it will be submitted that it is a recognizable fact
23 that Japan would not have sought to bite off more than
24 it could chew unless it felt itself in a desperate and
25 almost hopeless situation.

Prior to the institution of hostilities December

1 7th and 8th, the evidence will reveal that Japanese
2 naval leaders fully expected proper notice complying
3 with the provisions of international law would be
4 given the United States. Proving beyond question the
5 reluctance of naval leaders to preclude the possibility
6 of a peaceful settlement of affairs is the fact that
7 included in General Order Number 1, the over-all
8 military movement that sounded open conflict, was the
9 all-important provision that the fleet was to return,
10 even at the last minute, in the event negotiations be-
11 tween the United States and Japan took a turn for the
12 better and promised hope of settlement. Therefore, since
13 the navy is considered as a portion of the military and a
14 component part of the Japanese Government itself, it
15 will at the proper time and upon summation be submitted
16 that between the accused in the dock there existed no
17 accord, no sameness of political philosophy and no
18 cooperation that rivaled or excelled the great war
19 efforts of other powers during this tragic era of modern
20 history.

21 Mr. Roberts will proceed.

22 THE PRESIDENT: Mr. Roberts.

23 MR. ROBERTS: We offer in evidence defense docu-
24 ment No. 1973, which is the affidavit of Former Admiral
25 SAWAMOTO, Yorio, wartime Vice-Minister of Navy, and

1 whose long experience in administrative affairs of the
2 Japanese navy qualifies him to testify authoritatively
3 concerning the organization of the Japanese navy with
4 special reference to the division of duties between the
5 Navy Ministry and the Naval General Staff.

6 At the same time we offer in evidence defense
7 document 1958, which is a specially-prepared chart show-
8 ing graphically the relation of the Emperor, the Cabinet,
9 the Navy Ministry and the Naval General Staff, with
10 subordinate offices. This is offered to assist the Tri-
11 bunal in following the testimony of the witness SAWAMOTO.

12 I call the witness SAWAMOTO.

13 Y O R I O S A W A M O T O, called as a witness in
14 half of the defence, being first duly sworn,
15 testified through Japanese interpreters as
16 follows:
17

18 DIRECT EXAMINATION

19 BY MR. ROBERTS:

20 Q Please state your name and address.

21 A SAWAMOTO, Yorio, 110 Takinokizaka, Meguro-ku,
22 Tokyo.

23 MR. ROBERTS: May the witness be shown defense
24 document No. 1973?

25 (Whereupon, a document was handed to
the witness.)

1 Q Please examine this document and state whether
2 or not it is your sworn affidavit.

3 A This is my affidavit.

4 MR. ROBERTS: I offer in evidence defense doc-
5 ument 1973.

6 THE PRESIDENT: Do you swear the contents
7 to be true?

8 THE WITNESS: I do.

9 MR. ROBERTS: May it be marked, please?

10 THE PRESIDENT: Admitted on the usual terms.

11 THE CLERK OF THE COURT: Defense document 1973
12 will receive defense exhibit No. 2980.

13 (Whereupon, the document above re-
14 ferred to was marked defense exhibit No. 2980
15 and received in evidence.)

16 MR. ROBERTS: I read Exhibit 2980.

17 THE PRESIDENT: What about the annexure?

18 MR. ROBERTS: I request also that the map
19 be marked in evidence at this time.

20 THE PRESIDENT: Show it to the witness.

21 (Whereupon a document was handed
22 to the witness.)

23 MR. ROBERTS: The map is duly certified and
24 has the proper certification marked thereon.

25 THE PRESIDENT: Do you tender it?

1 MR. ROBERTS: Yes, sir.

2 THE PRESIDENT: Is there any objection? There
3 is no objection. Admitted on the usual terms.

4 THE CLERK OF THE COURT: Defense document
5 1958 will receive defense exhibit number 2981.

6 (Whereupon, the document above re-
7 ferred to was marked defense exhibit No.
8 2981 and received in evidence.)

9 MR. ROBERTS: I proceed to read Exhibit 2980:

10 "1. My name is Yorio SAWAMOTO. I served in
11 the Navy from November 1908 (Meiji 41) when I graduated
12 from the Naval Academy until September 1945 (Showa 20)
13 when I was relegated to the reserves as a full admiral.

14 "During that period I participated in work con-
15 nected with naval organization in the capacity of
16 First Section Chief of the Naval Affairs Bureau of the
17 Navy Ministry (at the time as a captain) from August
18 1929 (Showa 4) until November 1932 (Showa 7). Further
19 I held the following posts in Tokyo during my years of
20 service:

21 "From August 1921 (Taisho 10) until June 1923
22 (Taisho 12) - Staff of First Section Naval Affairs
23 Bureau, Navy Ministry (Lieutenant Commander);

24 "From December 1926 (Taisho 15) until December
25 1928 (Showa 3) - Staff of First Section, Personnel

Bureau, Navy Ministry (Commander);

"From February 1936 (Showa 11) until November 1937 (Showa 12) - Chief of General Affairs, Bureau of Naval Fleet Activities Headquarters (Rear Admiral);

"From April 1941 (Showa 16) until July 1944 (Showa 19) - Navy Vice-Minister (Vice-Admiral - Full Admiral).

"Besides having held the above posts, I served as Commander of the Second China Fleet from October 1940 (Showa 5) until April 1941 (Showa 16).

"2. In the Japanese Navy, naval administration fell under the authority of the Navy Minister, while the Chief of the Naval General Staff disposed of matters concerning naval operations. Naval administration and supreme command were classified according to organization. Both the Navy Minister and the Chief of the Naval General Staff were directly subordinate to the Emperor, so that there was no question of the one being superior or subordinate to the other.

"3. The Navy Minister controlled naval administration and supervised all matters concerning naval officers and naval civilians. The office of Navy Minister was that of a civilian official and his appointment and dismissal were decided by a report to the Throne by the Prime Minister in similar fashion with those of the other ministers. It was customary,

1 however, for the outgoing Navy Minister to nominate a
2 successor and recommend him to the Prime Minister. The
3 Prime Minister, acting on his recommendation, then
4 took the usual procedure of appointment.

5 "The appointment of the Chief of the Naval
6 Affairs Bureau followed the same procedure as those of
7 other Bureau Chiefs of the Navy Ministry and the
8 Navy Minister had complete control of same.

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"4. The Navy Ministry was composed of the
1 Navy Minister, Parliamentary Vice-Minister, Vice-
2 Minister, Councillors, the Ministerial Secretariat,
3 the Naval Affairs Bureau, the Mobilization Bureau,
4 the Personnel Bureau, the Educational Bureau, the
5 Bureau of Stores, the Medical Bureau, the Bureau of
6 Accounts and Supplies and the Judicial Affairs Bureau.
7 The Naval Parliamentary Vice-Minister, Vice-Minister
8 and Councillors and the Ministerial Secretariat were
9 similar to the corresponding offices of the other
10 ministries.

"The Naval Affairs Bureau handled affairs
12 touching naval administration in general, naval
13 armaments, national defense policy, international
14 regulations, general public relation issues, dissemination
15 of naval knowledge, etc.

"The Mobilization Bureau supervised affairs
17 concerning general despatch preparations, national
18 mobilization, supplementing of arms and munitions,
19 sea and land installations and equipment, mobilization
20 of munitions industries, affairs concerning material
21 and resources, shipping port facilities, port service
22 and transportation and protection of trade and labor.

"The Personnel Bureau supervised affairs
24 relative to general personnel appointment, dismissal
25

1 and replacement of officers and special service
2 officers, conferment of rank and honors, pensions,
3 relief (support), calling out and wartime mobilization
4 of naval officers, men and civilians and the drafting
5 of enlisted men, etc.

6 "The Educational Bureau controlled general
7 education and training of the Navy, acceptance into
8 service of naval students, education of naval reserves,
9 education of extra-naval personnel engaged in maritime
10 pursuits, etc.

11 "The Bureau of Stores supervised preparation,
12 preservation and supply of requisites for warship
13 management (equipment, consumption of goods) fuel,
14 lubrication oil, clothing, food, etc., as also the
15 regulations and technical knowledge concerning these
16 various items.

17 "The Medical Affairs Bureau controlled
18 medical affairs and sanitation of the Navy and all
19 education concerning same.

20 "The Bureau of Accounts and Supplies handled
21 accounts and finance, budget and settlement of
22 accounts and affairs concerning national property,
23 wage contracts, and original cost calculations.

24 "The Judicial Affairs Bureau controlled the
25 various regulations concerning naval judicial affairs,

1 the judicial police and military prosecution.

2 "The various bureau chiefs were appointed
3 by the Navy Minister and their duties were to have
4 their respective bureaus completely in hand and to
5 direct and supervise the work of the divisions and
6 sections of their bureaus.

7 "5. The Naval General Staff disposed of
8 affairs relative to national defense logistics. The
9 Chief of the Naval General Staff was under the direct
10 command of the Emperor and participated in the secrets
11 of the Imperial War Council and controlled the Naval
12 General Staff.

13 "6. As above shown, the Navy Ministry and
14 the Naval General Staff were organs of different
15 character, though they possessed various common
16 aspects as well.

17 "For example, naval strength was planned by
18 the Naval General Staff as it constituted the basis
19 of operational planning, but the Navy Ministry demanded
20 the budget and the equipment of military strength was
21 conducted by the Ministry. Hence in planning naval
22 strength it was necessary for the Naval General Staff
23 to consult the Navy Ministry in the first instance.

24 "The actual procedure was for the Chief of
25 the Naval General Staff to plan affairs concerning

1 naval strength and to discuss the same with the Navy
2 Minister. The Chief of the Naval General Staff con-
3 sulted the Navy Minister on the important items of
4 supplementing of naval strength, despatch prepara-
5 tions and national defense logistics while the Navy
6 Ministry discussed expenditure necessary for the execu-
7 tion of these measures with the Naval General Staff.
8 Further, planning and execution of operations were
9 under exclusive charge of the Naval General Staff, so
10 that the Navy Ministry could have no part therein.
11 Consequently, it was impossible for the Navy Ministry
12 to discuss the pros and cons of operation plans. But
13 depending on the circumstances relative to preparations
14 for operations for which the Navy Ministry was respon-
15 sible, the Naval General Staff might be forced to
16 change its plans of its own accord.

17 "In the event of war or of hostilities
18 (incidents), if necessity demanded, the Imperial
19 General Headquarters was established. In face of the
20 China Incident, the Imperial General Headquarters was
21 established in November 1937 and was continued through-
22 out the Pacific War. The Imperial General Headquarters
23 was composed of the Supreme Command organs of the Army
24 and Navy, and its internal organization was clearly
25 divided into the two departments of the Army and Navy.

The Chiefs of the Army General Staff and the Naval General Staff were both Chiefs of Staff and of equal rank and were the highest responsible persons for the operations of their respective forces. Consequently the responsibilities of their work were clearly divided. These organizations related to the Army and Navy were respectively called the Imperial General Headquarters Army Division and the Imperial General Headquarters Navy Division.

"In other words the Imperial General Headquarters was composed of an Army Division and a Navy Division. However, the Army and Navy Staff Division which formed the nucleus of the Imperial General Headquarters were actually the Army General Staff and the Naval General Staff respectively, and the two were completely independent of each other. Consequently, in the execution of duties, on operations which concerned both the Army and the Navy, joint discussions and exchanges of information were effected; but on matters which did not concern both branches, there were no consultations, and orders were issued and executed independently. There were two types of Imperial General Headquarters orders - the 'Imperial General Headquarters Army Order' and the 'Imperial General Headquarters Navy Order' - those related to

1 the Army belonging to the former category, and those
2 related to the Navy forming the latter. Even when
3 the Imperial General Headquarters was established, as
4 there were no special buildings or offices for it,
5 the Naval General Staff became the Imperial General
6 Headquarters, Naval Division, and a board reading
7 Imperial General Headquarters Naval Division was
8 placed alongside the Naval General Staff sign. When
9 the Imperial General Headquarters were established,
10 the Navy Minister had an office in the Headquarters
11 but he did not thereby become an officer on its staff.
12 Neither did the Navy Ministry thereby become an organ
13 of the Imperial General Headquarters. It goes without
14 saying that the Navy Minister was subordinated to the
15 Chief of the Naval General Staff, who was the Chief
16 of Staff of Imperial General Headquarters for the
17 Navy because of this set-up. The presence of the
18 Navy Minister in the Imperial General Headquarters was
19 for the purpose of controlling the various naval
20 affairs connected with operations. Consequently,
21 though the Navy Minister was able to attend the
22 Imperial General Headquarters conferences he had no
23 voice in the proceedings as a general rule.
24

25 "Important naval operations were planned and
put into execution at the Imperial General Headquarters

1 according to the following procedure. The senior
2 officer of the First Division of the Staff of the
3 Naval Division of the Imperial General Headquarters
4 drafted the plan. After passing in order from the
5 First Section Chief, the First Division Chief and
6 the Vice-Chief of the Headquarters, the Chief submitted
7 it to the Emperor for approval. After the sanction
8 had been granted, orders were communicated to the
9 Commander-in-Chief of the Combined Fleet or to the
10 Commanders-in-Chief of the Fleets and dependent on the
11 nature of the issue, to the commanders of naval and
12 minor naval stations. Consequently, the Navy Minister
13 did not participate in operations plans.

14 "8. Commanders-in-Chief were allocated to
15 fleets, naval and minor naval stations.

16 "Commanders-in-Chief of fleets were under the
17 direct orders of the Emperor and assumed command of the
18 Fleet and supervised fleet duties.

19 "Commanders-in-Chief of naval and minor naval
20 stations were under direct orders of the Emperor and
21 controlled defense of their allotted defense sectors
22 and despatch preparations within their sphere of juris-
23 diction.

24 "The several Commanders-in-Chief received
25 orders from the Navy Minister in matters pertaining to

1 naval administration and instructions from the Chief
2 of the Naval General Staff on matters concerning
3 operational plans.

4 "The Commander-in-Chief of the Combined
5 Fleet directed the fleets under his command but in
6 matters of naval administration, in items other than
7 those immediately related to the command of the Com-
8 bined Fleet, the Commanders-in-Chiefs of the several
9 fleets received instructions direct from the Navy
10 Minister.

11 "The same applied to the case of the Commander-
12 in-Chief of the Fleets.

13 "It was ruled that administration in occupied
14 areas was to be controlled by the several commanders-
15 in-chief under the orders of the Navy Minister. The
16 Combined Fleet Commander-in-Chief did not participate
17 in the above administration."
18

19 You may cross-examine.

20 THE PRESIDENT: Mr. Tavenner.

21 MR. TAVENNER: If the Tribunal please, as to
22 the statement of the witness on page 5 that the Navy
23 Minister had no voice in the proceedings as a general
24 rule and on page 6 that he did not participate in
25 operation plans, reference is made for further explana-
tion of that situation to prosecution exhibit 1979-A,

1 page 14,293 of the transcript, an excerpt from the
2 interrogation of the accused TOJO.

3 The Tribunal's attention is also called to
4 the fact that the next document on the order list is
5 defense document No. 1647, an official document of
6 the Japanese government entitled rules regarding
7 contact between the Navy Ministry and Naval General
8 Staff. As these regulations deal specifically with
9 many of the matters mentioned in this affidavit the
10 prosecution will rely upon those regulations, and if
11 the defense does not introduce the document the prosecu-
12 tion will.

13 We do not desire to conduct cross-examination.

14 THE PRESIDENT: Mr. Roberts.

15 MR. ROBERTS: Answering the last remarks of
16 the prosecutor I merely wish to state that this witness
17 was called because he is an expert in procedure and
18 was relied upon to outline the exact procedure that was
19 followed.

20 THE PRESIDENT: If the procedure is stated in
21 written rules we require to see the procedure in the
22 rules themselves, but we must rely on one side or the
23 other to produce them.

24 MR. ROBERTS: That is why we have produced and
25 that is on our order of proof as the next document, but

1 I simply want to point out that there are cases where
2 there have been deviations from these prescribed
3 regulations and that is why we asked the witness to
4 point out what the procedure was.

5 There are no further questions as far as
6 this witness is concerned. We ask that he be released
7 upon the usual terms.

8 THE PRESIDENT: In paragraph 6 the witness
9 refers to occupied countries, last paragraph, page 6.
10 Could he give a further explanation of what he means?

11 BY MR. ROBERTS:

12 Q Do you understand the question, Mr. Witness?

13 Perhaps I will read that one paragraph, that
14 is, the sentence in which the statement is contained.
15 It is stated in your affidavit as follows: "It was
16 ruled that administration in occupied areas was to be
17 controlled by the several commanders-in-chief under
18 the orders of the Navy Minister. The Combined Fleet
19 Commander-in-Chief did not participate in the above
20 administration."

21 Will you explain that further, please?

22 A My meaning is this. After the administration
23 of occupied areas the various commanders in chief in
24 those areas administered the occupation in accordance
25 with instructions from the Navy Minister; however, the

1 commander in chief of the combined fleet had nothing
2 to do with this.

3 Q That refers to administration and not to
4 operations plans, is that correct?

5 A Yes, that is so.

6 Q And, of course, applies only to naval
7 personnel, is that correct?

8 MR. TAVENNER: Objection.

9 THE PRESIDENT: Yes, Mr. Tavenner.

10 MR. TAVENNER: Objection is made to the
11 question in that it is grossly leading, puts the words
12 in the mouth of the witness.

13 THE PRESIDENT: Obviously leading; objection
14 upheld.

15 I am asked to inquire what you mean by the
16 words at the beginning of that paragraph, "It has
17 ruled."

18 MR. ROBERTS: "It was ruled."

19 THE PRESIDENT: "It was ruled."

20 THE WITNESS: By that I meant that there were
21 regulations governing this. I believe there were
22 probably internal regulations and that provisions
23 made for this in these regulations.

24 BY MR. ROBERTS:

25 Q Now, referring again to the last paragraph on

1 page 6 you stated that the administration was under
2 orders of the Navy Minister. To what type of personnel
3 did you refer?

4 MR. TAVENNER: Objection. If the Tribunal
5 please, I must remonstrate against such a grossly
6 leading question. It is repetition merely in a change
7 of form of the other question.

8 MR. ROBERTS: I am asking him to whom--

9 THE PRESIDENT: It is not necessary to clear
10 up anything asked by me on behalf of a Member of the
11 Tribunal. Further examination by you will not be per-
12 mitted, Mr. Roberts. It is not necessary to explain
13 anything as a result of an answer to a question put
14 by the Tribunal.

15 MR. ROBERTS: The answer given to the question
16 by the Court, I thought, raised a question of doubt.
17 I wanted to try to clear that up.

18 THE PRESIDENT: The Court has heard suffic-
19 iently. The Court's question did not raise any new
20 difficulty. A clear answer was given. There is
21 nothing for you to clear up.

22 MR. ROBERTS: May the witness be excused on
23 the usual terms?

24 THE PRESIDENT: He is excused accordingly.

25 (Whereupon, the witness was excused.)

1 MR. ROBERTS: We offer in evidence defense
2 document 1647 which is an excerpt from the "Rules
3 Governing Business Contacts Between the Navy
4 Ministry and the General Staff." This is offered
5 for the further purpose of showing the Tribunal
6 exactly how the matters relative to the two great
7 divisions of the Navy were assigned and handled.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Defense document 1647
10 will receive exhibit No. 2982.

11 (Whereupon, the document above
12 referred to was marked defense exhibit
13 No. 2982 and received in evidence.)

14 MR. ROBERTS: We do not desire to read this
15 document, but introduce it, as stated previously,
16 for the guidance of the Court.

17 THE PRESIDENT: That is sensible.

18 MR. ROBERTS: It should be read, however,
19 together with the testimony of the witness who just
20 occupied the stand.

21 We offer in evidence defense document
22 1648 which is an excerpt from the official document
23 entitled "Imperial Ordinance Concerning the
24 Organization of the Fleet." It is offered for the
25 purpose of explaining the status, duties and function

1 of the Commander-in-Chief of the Combined Fleet
2 revealing that he was directly subordinate to the
3 Emperor being subjugated to the Navy Minister as
4 regards administrative affairs and to the Chief of
5 Naval General Staff as regards the planning of war
6 operations.

7 THE PRESIDENT: Mr. Tavenner.

8 MR. TAVENNER: If the Tribunal please, the
9 prosecution views this document as entirely irrelevant
10 and immaterial. Every nation divides its fleet into
11 squadrons and has a Commander-in-Chief. There is
12 nothing that we observe in this or the succeeding
13 three documents, which also deal with organization
14 matters, which are relevant to any issue in this
15 case.

16 THE PRESIDENT: I think in the course of
17 the prosecution's case we intimated that we did not
18 want these matters which are common to all countries
19 proved in any detail. That still applies.

20 MR. ROBERTS: We submit that there is a
21 difference in the Japanese naval setup, and for
22 that purpose want to show the division of respon-
23 sibility between the Navy Minister and the General
24 Staff.

25 THE PRESIDENT: So far as there are

1 of the Commander-in-Chief of the Combined Fleet
2 revealing that he was directly subordinate to the
3 Emperor being subjugated to the Navy Minister as
4 regards administrative affairs and to the Chief of
5 Naval General Staff as regards the planning of war
6 operations.

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9 prosecution views this document as entirely irrelevant
10 and immaterial. Every nation divides its fleet into
11 squadrons and has a Commander-in-Chief. There is
12 nothing that we observe in this or the succeeding
13 three documents, which also deal with organization
14 matters, which are relevant to any issue in this
15 case.

16 THE PRESIDENT: I think in the course of
17 the prosecution's case we intimated that we did not
18 want these matters which are common to all countries
19 proved in any detail. That still applies.

20 MR. ROBERTS: We submit that there is a
21 difference in the Japanese naval setup, and for
22 that purpose want to show the division of respon-
23 sibility between the Navy Minister and the General
24 Staff.

25 THE PRESIDENT: So far as there are

1 differences and they are material, I think we would
2 all like to know what they are. I understand from
3 a colleague that Article 11 may be material; Article
4 10 also.

5 MR. ROBERTS: Yes. We only intend to refer
6 to one article or so in each of the documents so that
7 we will not burden the Court with reading the entire
8 document in any case.

9 THE PRESIDENT: As far as we can judge,
10 only Articles 10 and 11 are important.

11 MR. ROBERTS: That is all I intend to read;
12 Article 10, as a matter of fact. Ten and 11; I wish
13 to correct that.

14 THE PRESIDENT: The objection is sustained
15 except as regards Articles 10 and 11 which are ad-
16 mitted on the usual terms.

17 CLERK OF THE COURT: Defense document 1648
18 will receive exhibit No. 2983.

19 (Whereupon, the document above
20 referred to was marked defense exhibit
21 No. 2983 and received in evidence.)

22 MR. ROBERTS: I read exhibit No. 2983:

23 "Art. 10. The Commander-in-Chief of the
24 Combined Fleet, directly subordinate to the Emperor,
25 shall command the Combined Fleet and superintend

1 affairs relating to the fleet. The Commander-in-
2 Chief of the Combined Fleet shall receive orders
3 from the Minister of the Navy as regards adminis-
4 trative affairs and directions from the Chief of the
5 Navy General Staff as regards the planning of war
6 operations.

7 "Art. 11. The commander-in-chief of a
8 fleet, directly subordinate to the Emperor, shall
9 command the fleet under him and direct affairs of
10 his fleet. The commander-in-chief of a fleet shall
11 receive orders from the Minister of the Navy as re-
12 gards administrative affairs and directions from the
13 Chief of the Navy General Staff as regards the
14 planning of war operations."

15 We offer in evidence defense document 1671
16 which is an excerpt from an official document per-
17 taining to the "Ordinance Concerning the Combined
18 Flying Naval Corps." This is offered only for the
19 purpose of showing in Article 4 thereof the Command-
20 ant of the Combined Naval Air Command was directly
21 subordinate to the Throne, subject to orders from
22 the Navy Minister regarding administrative matters,
23 and to the Naval General Staff regarding the planning
24 of war operations.
25

THE PRESIDENT: Admitted as regards

Article 4 only.

1 CLERK OF THE COURT: Defense document 1671
2 will receive exhibit No. 2984.

3 (Whereupon, the document above
4 referred to was marked defense exhibit No.
5 2984 and received in evidence.)

6 ME. ROBERTS: I read exhibit 2984:

7 "Article 4. The Combined Naval Air Com-
8 mand shall have a commandant. The commandant directly
9 subordinate to the throne, shall command the com-
10 bined naval air command under him. He shall also
11 be in charge of naval administration subject to
12 orders from the Minister of the Navy.

13 "With regard to the planning of war opera-
14 tions, the commandant shall receive directions by
15 from the chief of the Naval General Staff."

16 We offer in evidence defense document 1672
17 which is an excerpt from the "Laws and Ordinances
18 Concerning the Organization of Naval Stations."
19 This document also is offered for the purpose of
20 showing the Commanders-in-Chief of naval stations
21 were directly subordinate to the Throne and under
22 the direction of the Minister of Navy as to adminis-
23 trative matters only and under the direction of the
24 Chief of Naval General Staff as to the planning of
25 war operations.

1 THE PRESIDENT: You have told us enough to
2 dispense with the reading, if we admit the document.

3 Mr. Tavenner.

4 MR. TAVENNER: The prosecution is willing
5 to accept that statement as the substance of the
6 document.

7 THE PRESIDENT: The document is admitted
8 but will not be read.

9 CLERK OF THE COURT: Defense document 1672
10 will receive exhibit No. 2985.

11 (Whereupon, the document above
12 referred to was marked defense exhibit
13 No. 2985 and received in evidence.)

14 MR. ROBERTS: We offer in evidence defense
15 document 1673 which is more or less identical with
16 defense document 1672 but applying to auxiliary
17 naval stations. This document is cumulative and
18 will not be read.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: Defense document 1673
21 will receive exhibit No. 2986.

22 (Whereupon, the document above
23 referred to was marked defense Exhibit No.
24 2986 and received in evidence.)

25 THE PRESIDENT: You are now about to call

1 a witness, is that so?

2 MR. ROBERTS: A witness; that is right.

3 THE PRESIDENT: We will recess for fifteen
4 minutes.

5 (Whereupon, at 1045, a recess was
6 taken until 1100, after which the proceed-
7 ings were resumed as follows:)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Tavenner.

4 MR. TAVENNER: If the Tribunal please, request
5 is made that exhibit 2980 be referred to the transla-
6 tion representatives of the Tribunal with regard to
7 one word on page 5, beginning with the second sen-
8 tence from the end of the first paragraph. The sen-
9 tence reads: "It goes without saying that the Navy
10 Minister was subordinated." We are --

11 THE PRESIDENT: "Subordinated" in our copies.

12 MR. TAVENNER: We are advised that the word
13 "not" should appear before the word "subordinated,"
14 according to the Japanese text.

15 THE PRESIDENT: We refer it to the Language
16 Section.

17 MR. ROBERTS: I think that is borne out by
18 the statement on the bottom of page 1 to the same effect.

19 Following the reading of the affidavit just
20 referred to, the prosecutor called the Court's atten-
21 tion to exhibit 1979, stating that they relied upon
22 that. I have since examined this exhibit and find
23 that it is not at all in variance with anything that
24 was said in the affidavit.

25 We call as a witness former Vice-Admiral

1 Mitsumi SHIMIZU, whose testimony relates to the
2 method of promotion of Japanese Naval officers and
3 is offered for the purpose of showing that advancement
4 to higher rank and positions of responsibility was
5 purely a matter of naval procedure and nonpolitical
6 in character, therefore offering a contrast to
7 political organizations.

8 - - -

9 M I T S U M I S H I M I Z U, called as a witness
10 on behalf of the defense, being first duly
11 sworn, testified through Japanese interpreters
12 as follows:

13 DIRECT EXAMINATION

14 BY MR. ROBERTS:

15 Q Please state your name and address.

16 A My name is SHIMIZU, Mitsumi; my address,
17 50 3-chome, Shino-na-cho, Setagaya-ku, Tokyo.

18 Q May the witness be shown defense document
19 No. 1926?

20 Please examine this document and tell us
21 whether or not it is your affidavit.

22 A This is my affidavit, without mistake.

23 Q Do you swear that the contents are correct
24 and true?

25 A I do. They are true and correct.

1 MR. ROBERTS: I offer in evidence defense
2 document No. 1926.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Defense document 1926
5 will receive exhibit No. 2987.

6 (Whereupon, the document above
7 referred to was marked defense exhibit
8 No. 2987 and received in evidence.)

9 MR. ROBERTS: I read exhibit 2987:

10 "1. My name is SHIMIZU, Mitsuni. I am a
11 former Vice-Admiral of the Japanese Navy. I occupied
12 the following posts in connection with personnel
13 affairs during the 36 years of my naval service.
14 From December 1923 till December 1924 (Lieutenant
15 Commander), Staff Officer of the Education Bureau,
16 Navy Ministry. Naval Cadets Selection Committee member.
17 From December 1931 till April 1934 (Captain), 1st
18 Section Chief of the Personnel Bureau, Navy Ministry.
19 From December 1936 till December 1938 (Rear-Admiral),
20 Chief of Personnel Bureau, Navy Ministry.

21 "2. All Naval personnel affairs were handled
22 by the Navy Minister.

23 "3. Although a naval officer was appointed
24 to the post of Navy Minister, he was considered a
25 civilian official from the standpoint of the Government

1 system. Hence his appointment and dismissal were
2 determined by a Report to the Throne made by the
3 Prime Minister as in the case of other cabinet
4 ministers. In the event of change of the Navy
5 Minister, it was customary for the Premier to
6 request the outgoing Minister of the Navy to
7 recommend his successor and the latter to name an
8 appropriate candidate from among the officers of
9 the Navy.

10 "4. The appointment of staff officers,
11 officers who were very closely connected with the
12 Chief of Naval General Staff and the Naval General
13 Staff, was decided by the Minister of the Navy after
14 consultation with the Chief of Naval General Staff.
15 In cases where Imperial sanction was required, the
16 Minister of the Navy directly reported to the Throne
17 for same without approaching the Cabinet.

18 "5. The appointment of the Vice-Minister
19 of the Navy and of the various Bureau Chiefs of the
20 Navy Ministry was conducted as follows: The Personnel
21 Bureau Chief after considering various qualifications
22 such as personality and ability would select three
23 most promising candidates, numbering them in order
24 of merit and would submit the list to the Minister
25 of the Navy. Whereupon, the latter would decide on

1 the one which he believed was most suited to the
2 office.

3 "In the selection of the several Bureau
4 Chiefs the opinion of the Vice-Minister was taken
5 into consideration besides the plan of the Chief of
6 the Personnel Bureau.

7 "6. It was customary to appoint commanders-
8 in-chief of fleets and of minor naval stations
9 simultaneously with the regular annual personnel
10 shifts in December. The regular personnel appoint-
11 ments were decided by the Minister of the Navy through
12 selection of an appointment plan tentatively drafted
13 by the Chief of Personnel Bureau.

14 "Special consideration was given in the
15 selection of naval school instructions and others in
16 educational posts, people with abundant common-sense
17 and sublime personalities being chosen for these
18 posts.

19 "7. According to the service table regula-
20 tions, the commanders of each unit were responsible
21 for the preparation of a service table of his subordi-
22 nate officers and the submission of same to the
23 Minister of the Navy through their superior officers
24 of the direct line of command, every August. The
25 Chief of the Personnel Bureau kept in custody and

1 adjusted these service tables, and being kept fully
2 informed on details of the personalities and abilities
3 of all the officers of the Navy, drafted and submitted
4 to the Minister of the Navy the Personnel Change Plan
5 of all naval officers on the principle of just and
6 nonpartisan choice of the right man for the right
7 post. The Minister of the Navy passing his decision
8 on the basis of this plan would result in the issuing
9 of the appointment orders.

10 "8. Selection for promotion of officers
11 was handled with special care; a promotion con-
12 ference being held each year in autumn to decide
13 promotions. This Promotion Conference was attended
14 by all the commanders-in-chief of fleets, minor
15 naval stations and important ports and by the admirals
16 designated by the Minister of the Navy (Fleet Admirals,
17 Members of the War Council, Vice-Minister of the Navy,
18 Vice-Chief of Naval General Staff, Chief of Naval
19 Technical Department, Chief of the Department of
20 Naval Aeronautics, Chief of Naval Affairs Bureau,
21 Chief of Personnel Bureau, Chief of Educational
22 Bureau, etc.) The Minister of the Navy presided at
23 the conference, and after serious deliberation and
24 on the principle of fairness selection for promotion
25 of all naval officers was conducted. The results were

published in the early part of December.

"9. Personnel of especially high character and qualifications composed the Personnel Bureau of the Navy Ministry.

"Utilizing only the above-mentioned carefully prepared service tables and based on the aim of choosing the right man for the right job, fairly and without bias, all appointments were the result of careful selection and there was no opportunity given for the formation of factions or cliques.

1 "10. It was perceived that from about the
2 time of the Manchurian Incident a very small group
3 of young naval officers dissatisfied with the times
4 were beginning to harbor revolutionary ideas and
5 were seen to move in a direction contrary to the
6 soldiers' code. The Navy never for a moment relaxed
7 vigilance of this trend. Most unfortunately, however,
8 the disgraceful incident known as the May 15th Incident
9 occurred in the May of 1932. At the time, the Navy,
10 fearing that to leave officers who harbored such
11 thoughts on the active list would not only undermine
12 the discipline of the force, but would in the long
13 run jeopardize the very existence of the same and
14 endanger the State, decided to act with a firm hand.
15 Hence it relegated some 30 odd officers to the re-
16 serves who were found to be sympathizers of the
17 young officers involved in the incident. Simultaneously
18 the Minister of the Navy issued instructions to all
19 officers of the Navy to abide respectfully by the
20 Imperial Edict to the Armed Forces and not to parti-
21 cipate in politics. With the approval of the Minister
22 of the Navy and in place of the Personnel Bureau Chief,
23 who was absent due to illness, I issued instructions
24 to the Navy as a whole at the Chief of Staff's
25 conference immediately after the incident, the gist

1 of which is as follows: 'If there is any officer
2 who now wishes to take part in politics, let him lay
3 down his sword, leave active service and follow his
4 inclination. However versatile a genius he may be,
5 let him leave the active lists at once.'

6 "As the result of further investigations,
7 it has however been confirmed that there exist neither
8 written evidence of the above Navy Minister's
9 instruction nor of my oral statement made in my capa-
10 city as 1st Section Chief of the Personnel Bureau
11 in the absence of the Personnel Bureau Chief."

12 You may cross-examine.

13 THE PRESIDENT: Mr. Tavenner.

14 CROSS-EXAMINATION

15 BY MR. TAVENNER:

16 Q Mr. SHIMIZU, were minutes kept of the Pro-
17 motion Conference meetings?

18 A Minutes of the Promotion Conferences were
19 kept. However, I believe that the documents of the
20 Navy Ministry were burned during the air raids.

21 Q Were the matters of dismissal or denotion
22 brought before these same conferences?

23 A The question of relegating navy officers to
24 the reserve lists was taken up there.

25 Q In some instances that could be treated as

a demotion, could it not?

1 A It would be an extreme form of demotion,
2 since they must leave the active list.

3 Q So, in appropriate cases this council would
4 also direct the retirement of officials of the navy?

5 A The conference itself could not direct any
6 such thing, but after obtaining the general approval
7 of all the members of the conference the Minister
8 of the Navy would issue the appointments -- would
9 issue the orders.

10 Q Was not the same procedure followed in
11 regard to demotion or dismissal from the service?

12 A Dismissals which were enacted during the
13 year, that is, during the time when the Promotion
14 Conferences were not held, were decided on by the
15 Minister of the Navy every time such dismissal was
16 found necessary without taking it up at the Promotion
17 Conference.

18 Q How frequently during the year did the Pro-
19 motion Council or Conference convene?

20 A Once a year.

21 Q Specifically, what date?

22 A It varied according to circumstances from
23 year to year. However, it was usually held towards
24 the end of October or the beginning of November,
25

1 depending on the schedule of the Navy Ministry for
2 that year.

3 Q Tell us when it met in the year 1942.

4 A After the outbreak of the war in 1941,
5 it was impossible for the commanders of the various
6 ports to come up to Tokyo. Therefore, the Chief of
7 the Personnel Bureau would draw up his own draft
8 and would visit the various commanders at their posts
9 and ask for their approval.

10 Q But otherwise, the work of the conference
11 proceeded as formerly; is that true?

12 A I am afraid I cannot understand just what
13 you mean.

14 Q I mean, other than to send a request for
15 reports to the commanders in the field, the work of
16 the conference proceeded as usual?

17 A On the whole, yes.

18 Q Now, when was the order for promotions made
19 in the year 1942?

20 A In 1942 I was no longer with the Navy
21 Ministry; therefore, I do not now recall just when.

22 Q But orders for promotion were made each
23 year during the period of the war according to the
24 way that you have described to the Tribunal, is that
25 true?

1 A On the whole, the custom I mentioned was
2 enforced during the war years also. That is to say,
3 the Chief of the Personnel Bureau would draw up a
4 draft plan which would be seen by the Minister of
5 the Navy and then the Chief of the Personnel Bureau
6 would take that plan around to the commanders of
7 the various ports and gain their suggestions and
8 approval.

9 Q Now, on whose recommendation was the Chief
10 of the Naval General Staff appointed, and who were
11 consulted in the making of that appointment?

12 A Generally speaking, since no one knew when
13 or how the Chief of the Naval General Staff would
14 suddenly become incapacitated, the Chief of the
15 Personnel Bureau always had a draft plan as to whom
16 he considered best to be his successor and usually
17 had obtained the informal approval of the Minister
18 of the Navy. This was the rule during the time that
19 I was Chief of the Personnel Bureau.
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1 Q Then, after obtaining the approval of the
2 Minister, informally, in the event an appointment
3 should be made was his formal recommendation ob-
4 tained -- in the event it became necessary to actually
5 appoint a new Chief of the Naval General Staff?

6 A In the event it actually became necessary
7 to appoint a new Chief of the Naval General Staff,
8 the Minister of the Navy in accordance with the informal
9 plan would then consult with the outgoing Chief of the
10 Naval General Staff and then appointment would be made.

11 Q By whom would the appointment be made?

12 A Since the position of Chief of the Naval
13 General Staff was appointed directly by the Emperor,
14 the appointment ceremony -- the installation ceremony
15 would be held in the palace with the Navy Minister
16 making the formal recommendation.

17 MR. TAVENNER: There are no further questions.

18 THE PRESIDENT: I have a couple of questions
19 on behalf of the Tribunal or Members of it.

20 BY THE PRESIDENT:

21 Q Did the promotion conference have authority
22 to dismiss an officer or to demote an officer without
23 trial?

24 A They could -- it could.

25 Q Did the Navy Minister take an active part in

1 the promotion conferences?

2 A The Minister of the Navy was the chairman
3 of that conference.

4 THE PRESIDENT: Mr. Roberts.

5 MR. ROBERTS: I ask that the witness be
6 excused on the usual terms.

7 THE PRESIDENT: He is excused on the usual
8 terms.

9 (Whereupon, the witness was excused.)
10

11 - - -

12 MR. ROBERTS: We next offer in evidence defense
13 document No. 1951-D which merely states the First
14 Section of the Personnel Bureau shall handle naval
15 personnel affairs in general. It is not intended to
16 read this document.

17 THE PRESIDENT: Mr. Tavenner.

18 MR. TAVENNER: If the Tribunal please, the
19 prosecution views the document as absolutely irrelevant
20 and immaterial, and, even if it is not to be read, it
21 should not be introduced into evidence.

22 MR. ROBERTS: In accordance with the wish
23 expressed by the Tribunal previously, these are
24 regulations referred to by the witness which, I believe,
25 should be before the Court.

THE PRESIDENT: I cannot see a single word

1 or a line that throws light on anything that we want
2 to know about.

3 MR. ROBERTS: Simply, in the first part of
4 Article 18 in stating that the First Section shall
5 handle the personnel affairs showing the division of
6 responsibility.

7 THE PRESIDENT: The objection is sustained
8 and the document rejected.

9 MR. ROBERTS: We offer in evidence defense
10 document 1951-B which is an excerpt from an Imperial
11 Ordinance concerning naval officer promotion for the
12 purpose of indicating to the Tribunal in very brief
13 form the procedure for the promotion of officers.

14 THE PRESIDENT: Admitted on the usual terms;
15 but you do not need to read it, do you?

16 MR. ROBERTS: I am not intending to read it.

17 CLERK OF THE COURT: A book entitled "Regulations
18 on Naval **Fitness**, a Report, Volume 2," will receive
19 exhibit No. 2988 for identification only. Defense
20 document 1951-D, being an excerpt therefrom will
21 receive exhibit No. 2988-A.

22 (Whereupon, the document above
23 referred to was marked defense exhibit
24 No. 2988 for identification; the excerpt
25 therefrom being marked defense exhibit

1 No. 2988-A and received in evidence.)

2 MR. ROBERTS: We offer in evidence defense
3 document 1951-A but do not propose to read it. It
4 is also an excerpt from the Regulations Concerning
5 Naval Fitness and indicates a procedure was followed
6 in the Japanese Navy relative to the fitness of an
7 officer for the rank and assignment held not materially
8 different from that of the Navies of other countries.

9 THE PRESIDENT: Mr. Tavenner.

10 MR. TAVENNER: Objection is made on the same
11 ground, if the Tribunal please. It is a compilation of
12 platitudes and ideals with regard to employment of
13 officers, and the fact that it is not to be read is no
14 point to be urged in favor of its admission.

15 MR. ROBERTS: It follows the last document
16 which was admitted and is an excerpt from exhibit No.
17 2988. It is offered for the guidance of the Court and
18 is the last of these documents that will be offered.

19 THE PRESIDENT: The objection is sustained and
20 the document rejected.

21 MR. ROBERTS: We call as our next witness
22 former Vice-Admiral Shikazo YANO who, with thirty years
23 of naval service behind him and occupying important
24 positions in the Educational Bureau of the Navy Ministry,
25 is well qualified to testify concerning the type of

1 subjects taught in naval schools. This evidence is
2 offered for the purpose of disproving the prosecution
3 allegation that the educational system of the Navy
4 was used to inculcate a spirit of totalitarianism,
5 aggression, desire for war, cruelty and hatred of
6 potential enemies. We offer in evidence defense docu-
7 ment 2072, which is his sworn affidavit.

8 THE PRESIDENT: Mr. Roberts, there is no need
9 to tell us what the affidavit is about to such an extent.

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1 S H I K A Z O Y A N O, called as a witness on
2 behalf of the defense, being first duly
3 sworn, testified through Japanese inter-
4 preters as follows:

5 DIRECT EXAMINATION

6 BY MR. ROBERTS:

7 Q Please state your name and address.

8 A My name is YANO, Shikazo. My address is 278,
9 3-chome, Tamagawa, Todoroki-machi, Setagaya-ku, Tokyo.

10 MR. ROBERTS: May the witness be shown defense
11 document No. 2072.

12 (Whereupon, a document was handed to
13 the witness.)

14 Q Please examine this document and tell us
15 whether or not it is your sworn affidavit.

16 A This is my affidavit.

17 Q Do you swear that the contents are correct
18 and true?

19 A I do.

20 MR. ROBERTS: I offer it in evidence.

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: Defense document 2072 will
23 receive exhibit No. 2989.

24 (Whereupon, the document above re-
25 ferred to was marked defense exhibit No. 2989

YANO

DIRECT

26,455

and received in evidence.)

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MR. ROBERTS: I read exhibit 2989:

1 "1. My name is Shikazo YANO. I was formerly
2 Vice Admiral in the Japanese Navy with thirty years
3 of naval service. After graduating from the Naval
4 Academy in December 1915 I held various positions in-
5 cluding that of Staff Member of the Personnel Bureau
6 of the Navy Ministry, instructor at the Naval Staff
7 College, First Section Chief, Educational Bureau,
8 Navy Ministry and from November 1942 until 1944 I
9 held the office of Education Bureau Chief of the
10 Navy Ministry supervising naval education.
11

12 "2. I have been informed that the Indictment --"

13 THE PRESIDENT: Paragraph 2 is most objection-
14 able, Mr. Roberts.

15 MR. ROBERTS: I didn't quite get the full
16 import of your Honor's remark.

17 THE PRESIDENT: It is most objectionable.
18 Paragraph 2 is most objectionable, and you must know
19 it. We do not want him to tell us what is erroneous
20 in the Indictment. We want him to tell us the facts.

21 MR. ROBERTS: I shall skip paragraph 2 and
22 proceed with paragraph No. 3 and also the last sent-
23 ence in the affidavit.
24

25 "3. Besides elaborate and well designed
courses on international law, taught both in the

1 schools and even in the midst of fleet duties, there
2 were other subjects which were calculated to mold the
3 character and personality of the potential officer.
4 In the first place, great care was taken in the
5 selection of instructors. These men were thoroughly
6 investigated and were required to possess well rounded
7 personalities and moderate and mature judgment. Sub-
8 jects designed to promote the individuality of the
9 student were given with the consequent result that
10 any subject which would result in a belief in totali-
11 tarianism and the like would be diametrically opposed
12 to the educational tradition of the Navy.

13 "4. Since the aim of naval education was
14 the cultivation of the man before the soldier, lectures
15 on morals, psychology and philosophy were delivered
16 toward the end of training the individual to be a
17 model citizen on the basis of reasoning that a good
18 soldier made a good citizen. There was no suggestion
19 of advocacy of teachings of cruelty and hatred of
20 potential enemies or the desire for war. The basic
21 educational policy of the Navy was respectful abidance
22 by the Imperial Edict issued to the Army and Navy with
23 the accompanying interpretation based on the spirit of
24 'Bushido' which was the code of morals hitherto pre-
25 vailing among the Samurai Class.

1 "Freedom of religion was taught and of course
2 permitted. Therefore, it was possible to be a member
3 of any religious faith and at the same time to be a
4 naval officer. There were no special religious
5 phrases or slogans, for this reason, adopted as
6 educational slogans by the Navy. There was no re-
7 straint therefore upon the right of a student to
8 individual thinking.

9 "5. While the academic subjects of the
10 naval schools followed closely the teachings of those
11 of other countries relative to practical subjects,
12 the Academy laid special stress on four cardinal
13 principles which were loyalty, courtesy, valor and
14 fidelity as indicated in the Imperial Edict. Instruc-
15 tions on each of these were constantly given. Among
16 officers of the Japanese Navy and following historic-
17 ally the practice adopted and patterned after the
18 British Navy, it was the standing tradition that the
19 Japanese Navy and its personnel must at all times ob-
20 serve gentlemanly behavior. In short, the education-
21 al policy of the Japanese Navy was reverend abidance
22 by the Imperial Rescript and the embodiment of
23 'Bushido.' It laid special stress on the observance
24 of justice and humanity and non-transgression of
25 international law."

1 You may cross-examine.

2 THE PRESIDENT: Mr. Tavenner.

3 MR. TAVENNER: There will be no cross-
4 examination, if the Tribunal please.

5 MR. ROBERTS: May the witness be excused on
6 the regular terms?

7 THE PRESIDENT: He is excused accordingly.

8 (Whereupon, the witness was excused.)
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11 MR. ROBERTS: We call as our next witness
12 Juji ENOMOTO.

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1 J U J I E N O M O T O, recalled as a witness on
2 behalf of the defense, having previously been
3 sworn, testified through Japanese interpreters
4 as follows:

5 THE PRESIDENT: You are still on oath.

6 DIRECT EXAMINATION

7 MR. ROBERTS: May the witness be shown
8 defense document No. 1927?

9 (Whereupon, a document was handed
10 to the witness.)

11 BY MR. ROBERTS:

12 Q Please examine that document and tell us
13 whether or not it is your affidavit.

14 (The witness examined the document.)

15 Q Is that your affidavit, Mr. ENOMOTO?

16 A Yes, it is.

17 Q Do you swear that the contents are correct
18 and true?

19 A I do.

20 MR. ROBERTS: I offer it in evidence.

21 THE PRESIDENT: You had better tender it.

22 MR. TAVENNER: If the Tribunal please --

23 THE PRESIDENT: The affidavit hasn't been
24 tendered.
25

MR. TAVENNER: I understood he did.

1 MR. ROBERTS: Yes, I did offer it in evidence.

2 MR. TAVENNER: The affidavit, if the Tribunal
3 please, is objected to on the ground that it is gross-
4 ly repetitive, that it attempts to deal at great
5 lengths with matters which have little or no probative
6 value regarding any issue in the case.

7 On page 3, under Section D, beginning with
8 the second paragraph, a conclusion is expressed which
9 forswears the issue in the case.

10 Beginning at the top of page 4, we find from
11 there on a lengthy description of the type of edu-
12 cation in international law, which does not seem to
13 aid in any issue, it having been testified by the
14 previous witness that education in international law
15 was given.
16

17 For these reasons, we think the document is
18 irrelevant.

19 THE PRESIDENT: It goes into the curriculum
20 in very great detail and quite unnecessarily.

21 MR. ROBERTS: This witness, whose duties was
22 that of instructor at the naval schools, was familiar
23 with international law and engaged for many years in
24 the Naval Department.

25 THE PRESIDENT: His background will not in-
duce us to accept a lot of unnecessary material.

1 MR. ROBERTS: The prosecution has alleged
2 that the teaching of totalitarianism was engaged in
3 in the schools and particularly by the Army and Navy,
4 and this testimony was offered for the purpose of
5 showing the emphasis placed on strict observance of
6 international law and the stress laid upon compliance
7 with the rules of warfare, such as the treatment of
8 prisoners, etc.

9 Although the prosecution has shown no orders
10 or regulations issued from the Navy that could re-
11 flect disregard of international law, we wish to go
12 further with affirmative and informative matter and
13 reveal those standing principles pertaining to naval
14 warfare existing and effective during the time some
15 of the accused held office in the Japanese Government
16 and during the periods referred to in the Indictment.

17 This witness, who taught in the naval college,
18 is qualified to tell this Court exactly what the teach-
19 ings were in the naval curricula, and the excerpts,
20 set forth as international law in this affidavit, were
21 for the purpose of showing what was taught to the
22 students and not to tell the Court what international
23 law may be.

24
25 THE PRESIDENT: All nations have a manual of
military law, or a manual of naval law, which includes

1 the principle rules of international law which are
2 taught to the Armies and Navies. There is no contest
3 about that. This doesn't establish any more.

4 MR. ROBERTS: If the Court will take judicial
5 notice that these precepts of international law were
6 taught at the Japanese naval college, and then we will
7 be satisfied that this witness' testimony to that effect
8 will be unnecessary.

9 THE PRESIDENT: I suppose the prosecution's
10 case is not that it was not taught but that it was not
11 acted upon. But, we would like to hear from Mr.
12 Tavenner with a view to shortening this.

13 MR. ROBERTS: May I just point out that my
14 reference has been to Section 7 of the Indictment
15 which states that, "The educational systems, civil,
16 military and naval, were used to inculcate a spirit
17 of totalitarianism, aggression, desire for war,
18 cruelty and hatred of potential enemies."

19 MR. TAVENNER: If the Tribunal please, the
20 prosecution does not contest that the assertion by
21 counsel that international law was taught in the mili-
22 tary and naval colleges.

23 THE PRESIDENT: We are overdue on the recess.
24 We will adjourn until half past one.
25

(Whereupon, at 1202, a recess was taken.)

AFTERNOON SESSION

1 The Tribunal met, pursuant to recess, at
2 1330.

3 MARSHAL OF THE COURT: The International
4 Military Tribunal for the Far East is now resumed.

5 THE PRESIDENT: Major Moore.

6 LANGUAGE ARBITER (Major Moore): If the
7 Tribunal please, exhibit 2980, defense document 1973,
8 was referred to the Arbitration Board.

9 On page 5, line 21, after "was" insert "not."

10 THE PRESIDENT: Thank you.

11 Mr. Tavenner.

12 MR. TAVENNER: If the Tribunal please, con-
13 tinuing with my statement before the close of the
14 morning's session, I didn't object to the introduc-
15 tion of evidence regarding international law being
16 taught in military and naval colleges. I objected on
17 the ground that it was repetitive in the form that it
18 appeared in this affidavit and at great and needless
19 length.

20 THE PRESIDENT: Mr. Roberts.

21 MR. ROBERTS: It may seem that at certain
22 points there is repetition, but I think the Court
23 will find that the excerpts mentioned are distinct
24 and separate in each case.
25

1 There are one or two other items I would
2 like to mention. The aim of this man's testimony
3 is not only to show that the Navy taught international
4 law in its schools, but also to prove that the Navy
5 issued instructions on the proper handling of inter-
6 national problems; and also to show how the Japanese
7 Navy interpreted international law and taught it in
8 its application. And the affidavit further shows that
9 there was a tendency in the Japanese Navy to stress
10 the importance of international law.

11 THE PRESIDENT: The fact that they taught it
12 is sufficient. The extent to which they stressed it
13 is quite immaterial. In view of the prosecution's ad-
14 missions, it would appear that this is unnecessary
15 material.

16 MR. ROBERTS: The prosecution has simply
17 stated that they were objecting because it was repeti-
18 tive and they haven't admitted anything really as far
19 as the charge contained in the Indictment is con-
20 cerned.

21 THE PRESIDENT: By a majority the objection
22 is sustained and the document rejected.

23 MR. ROBERTS: May we request that this wit-
24 ness step down? If necessary, we may bring him back
25 at a later date.

1 THE PRESIDENT: We will discharge him on the
2 usual terms. I don't think it will be necessary to
3 recall him.

4 (Whereupon, the witness was excused.)

5 MR. ROBERTS: Mr. Brannon will now pro-
6 ceed with additional proof.

7 THE PRESIDENT: Mr. Brannon.

8 MR. BRANNON: We come now to treat of the
9 prosecution charge that Japan continually and progress-
10 ively fortified the Islands for which she held a man-
11 date from the League of Nations, in violation of
12 treaty articles 15, 17, 18, and 31 of the Indictment.

13 I call the witness Hidemi YOSHIDA.

14 I wish to notify the Language Section we may
15 deviate from time to time from the prepared running
16 commentary.

17 THE MONITOR: Mr. Brannon, if you do deviate
18 from the running commentary, will you kindly let us
19 know?

20 MR. BRANNON: Yes.
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1 H I D E M I Y O S H I D A, called as a witness on
2 behalf of the defense, being first duly sworn,
3 testified through Japanese interpreters as follows:

4 MR. BRANNON: Will the witness please be han-
5 ded defense document 1518?

6 (Whereupon, a document was handed to the
7 witness.)

8 DIRECT EXAMINATION

9 BY MR. BRANNON:

10 Q Do you have the document, Mr. Witness?

11 A Yes.

12 Q Will you state your name, please?

13 A YOSHIDA Hidemi.

14 Q Is this your true affidavit, document 1518?

15 A Yes, it is.

16 MR. BRANNON: We offer in evidence defense
17 document 1518.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Defense document 1518
20 will receive exhibit No. 2990.

21 (Whereupon, the document above referred
22 to was marked defense exhibit 2990 and received
23 in evidence.)

24 MR. BRANNON: Omitting the formal portion,
25 I read as follows:

1 H I D E M I Y O S H I D A, called as a witness on
2 behalf of the defense, being first duly sworn,
3 testified through Japanese interpreters as follows:

4 MR. BRANNON: Will the witness please be han-
5 ded defense document 1518?

6 (Whereupon, a document was handed to the
7 witness.)

8 DIRECT EXAMINATION

9 BY MR. BRANNON:

10 Q Do you have the document, Mr. Witness?

11 A Yes.

12 Q Will you state your name, please?

13 A YOSHIDA Hidemi.

14 Q Is this your true affidavit, document 1518?

15 A Yes, it is.

16 MR. BRANNON: We offer in evidence defense
17 document 1518.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Defense document 1518
20 will receive exhibit No. 2990.

21 (Whereupon, the document above referred
22 to was marked defense exhibit 2990 and received
23 in evidence.)

24 MR. BRANNON: Omitting the formal portion,
25 I read as follows:

1 "1. My name is YOSHIDA, Hidemi. I was for-
2 merly a captain in the Japanese Navy and from October
3 10, 1941 to the end of March, 1945 was assigned to
4 the First Section of the Naval Affairs Bureau in the
5 Navy Ministry. My duties were concerned exclusively
6 with matters relating to naval facilities and equip-
7 ment including planes, ships and the defense installa-
8 tions on the Mandated Islands. Prior to taking over
9 this position I spent two months with my predecessor,
10 Captain MIWA, now deceased, in concentrated study of
11 all of the intricate details concerned with the work
12 of this office. This involved the study of a tremen-
13 dous volume of documents which supplied me with a nec-
14 essary background on the work I was to perform.

15 "2. I wish to speak briefly about the view
16 of the Naval Affairs Bureau concerning the question of
17 strengthening facilities on the Mandated Islands. It
18 was our contention that the South Sea Islands were so
19 situated geographically as to constitute the bulwark
20 of sea defense for Japan and hence we termed it the
21 first line of defense for our country. We felt that
22 if these islands fell into the hands of an enemy it
23 would have meant certain defeat for Japan. Hence it
24 was but natural that the Navy was desirous of installing
25 on these islands or some of them such military defensive

1 measures as would satisfy our need for security. Were
2 it not for treaty restrictions we would have carried
3 out defensive constructions on these islands with no
4 hesitation. This matter was discussed at various occas-
5 ions and the overwhelming opinion was that we could not
6 place fortifications upon these islands because of the
7 existing treaty restrictions. And weighing the secur-
8 ity of our country against the existing treaty restric-
9 tions it was definitely concluded that we must remain
10 faithful to the treaty obligations.

11 "3. Therein lay the most serious problem
12 facing the Navy - namely, the necessity of refraining
13 from installing defensive constructions on the Islands
14 in peace time and yet to be ready for any eventuality
15 during those threatening times. It was along this
16 line and facing this problem that I carried on my
17 study.

18 "4. The question as to whether certain install-
19 ations on the Mandated Islands were cultural or industrial
20 in nature, or whether they were military, was sometimes
21 difficult to settle. It is true that many installa-
22 tions capable of full usage during peace times were
23 later converted into war time assets. The South Sea
24 Islands were under the administration of the South Sea
25 Board. The said Board, in 1935, laid down the ten-year

1 program for the development of these islands. It was
2 in pursuance of that program that construction of
3 cultural and industrial facilities had been started.
4 The Navy gave its assistance somewhat along the fol-
5 lowing lines:

6 "(1) In 1933 the Navy carried out a survey of the
7 farms developed by the Bureau on the islands of Saipan
8 and Pagan to ascertain whether or not they might serve
9 as forced landing fields for planes. Beginning in 1934
10 the Bureau started program of opening aerial communica-
11 tions between the Islands with the sole view of facil-
12 itating rescue work in case of shipwreck, together
13 with assisting fishermen in locating schools of fish,
14 etc. But since the available facilities in that region
15 were quite inadequate, the Bureau came to the Navy for
16 assistance. In response to that request and because
17 the Navy regarded the industrialization of those
18 Islands as materially valuable, the Navy took the part
19 of extending what help it could insofar as it could be
20 done without violating the relevant treaties and without
21 interfering with the Navy's proper function.
22

23 "As a matter of fact, even the Navy's effec-
24 tiveness in that direction was at a low ebb, since it
25 was heavily burdened with duties in connection with
operations in China, and accordingly little assistance

1 was available. It was only after the China Incident
2 came to more or less of a standstill that we were able
3 to give some assistance in the way of technical mater-
4 ials, labor and transportation.

5 "I speak from personal knowledge since, as
6 I said before, I made an extensive study of the avail-
7 able records in the office and currently was concerned
8 with the matters of which I speak.

9 "In this connection, since it dealt with the
10 nature of airfields to be employable for cultural and
11 industrial uses and which could be converted into milit-
12 ary aids in the event of war, we carried out a study to
13 determine whether or not the assistance we were to give
14 to the Bureau should be construed as contrary to exist-
15 ing treaty requirements, thereby subjecting us to
16 international criticism. It was our conclusion, as a
17 result of that study, that the conveniences rendered
18 by the Navy for the extension of cultural and indust-
19 rial projects could not be subject to criticism as purely
20 military installations and therefore not counter to
21 existing treaty limitations. The immediate use to
22 which the aviation facilities were put were purely
23 cultural in nature and there was actual use for them.
24 Therefore, it was the Navy's view that the airfields
25 per se did not constitute military establishments.

1 "The over-all picture of these airfields and
2 the progress of their construction, based upon my re-
3 search into the matter, is shown in the following
4 table which contains the history of thirteen air-
5 fields, four of which are seaplane ramps and nine
6 are land facilities.

7 "(1) On the island of Palau there was one runway
8 and one ramp. The ramp was started in 1934 and virtual-
9 ly completed in 1936. The runway was started in 1938
10 and completed in 1940.

11 "(2) On the island of Saipan one ramp was started
12 in 1935 and completed the same year. One runway was
13 started in 1934 and completed in 1935.

14 "(3) On the island of Pagan one runway was started
15 in 1941 and completed the same year.

16 "(4) On the island of Tinian one runway was start-
17 ed either in 1939 or 1940 and the time of completion is
18 unknown to me.

19 "(5) On the island of Truk one runway was started
20 in 1935 and completed in 1941. There was one ramp but
21 I do not have the available dates.

22 "(6) On the island of Ponape there was one runway
23 started in 1939 and completed in 1941.

24 "(7) On the island of Wotje there was one runway
25 started in 1940 and completed in 1941.

1 "(8) On the island of Kwajalein there was one run-
2 way started in 1940 and completed in 1941.

3 "(9) On the island of Jaluit there was one ramp
4 started in 1940 and I do not have available statistics
5 as to its completion.

6 "(10) On the island of Taroa there was one runway
7 started in 1940 and completed in 1941.

8 "The term 'completed' as applied to these
9 installations actually means they were virtually completed.

10 "(2) The South Sea Board sensed insufficiency
11 in harbor facilities as the industrial development of
12 the Islands went apace very rapidly. Therefore, they
13 began harbor construction around 1935 on Saipan and
14 Palau and later on at Ponape."

15 I believe there is a correction on that in the
16 correction sheet.

17 "It made some progress on the work of the
18 first two islands but did not get beyond the paper
19 plan stage at Ponape.

20 "(3) Wireless Stations - These facilities were
21 constructed by the Navy when they first occupied the
22 Island during World War I. And since these installa-
23 tions were absolutely necessary as cultural or indust-
24 trial assets to the Island, they were turned over to
25 the Bureau for management and supervision. The prin-

1 cipal wireless stations were located on Saipan, Truk,
2 Ponape, Jaluit and Yap.

3 "(4) Radio Range Stations - In addition to
4 these wireless stations there were a few of these
5 direction finding stations for the purpose of assuring
6 safety of aerial navigation. Even after these facilit-
7 ies had been turned over to the Bureau the Navy contin-
8 ued to supply them from time to time with materials
9 which the Bureau could not obtain from other sources.

10 "(5) Miscellaneous - Meteorological stations,
11 marine stations, route indicators, light houses, roads,
12 fisheries, etc. on all of these the Bureau had expend-
13 ed considerable effort but had not made much headway.

14 "As to oil tanks, private oil companies had
15 small tanks ranging from between 1,000 and 2,000 ton
16 capacity on Saipan, Palau, Ponape and Truk, but these
17 tanks were wholly inadequate for supplying our fleet
18 when it was in that region on maneuvers and periodic
19 cruises. For that reason it became advisable for the
20 Navy to give thought to the construction of its own
21 oil tanks.
22

23 "(6) Coming down to November of 1941, in my
24 capacity as an expert in charge of such matters, I
25 emphatically state that there was almost nothing on
these islands which could be designated as the Navy's

own facilities, much less qualifying under the terminology of naval bases or fortifications. To present to the Tribunal a perfectly honest and clear picture of the actual situation, I wish to state the following facts:

"(1) Although the Navy had commenced the construction of its own oil tanks on Palau, Saipan and Jaluit around middle of 1939, few, if any, were completed at the time of commencement of war.

"(2) It had originally been intended to make temporary use of facilities belonging to private companies and to the Bureau as resting quarters for warship personnel. But in view of the climatic and other conditions prevailing in the Tropics, it was considered advisable to erect temporary barracks for their use to the extent that we could do so without conflicting with treaty restrictions. We therefore decided to erect a few temporary barracks on Saipan and Palau in the fall of 1940. It was not done with the idea of providing a base, but simply for the convenience of our ships during maneuvers.

"(3) The Navy carried out maneuvers in the region of the South Seas time after time, but the only time that land maneuvers which necessitated carrying guns on to the islands took place was in 1940 and 41.

At the 1940 maneuvers we used two 8-centimeter guns
1 which were landed on the islands of Truk and Palau
2 for the purpose of giving training in the landing
3 and securing of gun emplacements. Both, however, were
4 removed on completion of the training maneuvers. In
5 the following year, 1941, the maneuvers were continued
6 from spring until autumn. On this occasion the Navy
7 Department placed at the disposal of each of the sev-
8 eral forces attached to the Fleet several guns of
9 12-centimeter and lesser caliber for the purpose of
10 carrying out the training maneuvers and making tests as
11 to the capacity of these guns to withstand heat and
12 humidity. In these maneuvers gun bases were erected
13 because of the need of carrying out test firings. Most
14 of these guns had been obtained from naval schools and
15 naval corps where they had been used for instruction
16 purposes. They were old models and proved of little prac-
17 tical use and, according to reports received, these guns
18 were so short in range - between 5,000 and 6,000 meters -
19 that they did not even reach the outside of the coral
20 reefs. Prior to the execution of these maneuvers
21 there had been an explanation given to the maneuvering
22 forces by the Naval General Staff and Fleet Headquarters
23 that upon completion of the maneuvers at one place the
24 guns were to be removed and taken to the next place
25

1 where the maneuvers were to be held. It is true that a
2 few of these guns were not removed. The reason for the
3 failure to remove them in most cases lay in the fact
4 that the guns were old and obsolete and not considered
5 of great value. In addition thereto, we desired to make
6 a more thorough check on the condition of the guns after
7 exposure to tropical climatic conditions over a lengthy
8 period of time, and hence they were left exposed to daily
9 rain and other special aspects of the tropic climate.

10 "(4) Conditions after November 5, 1941: It was
11 on November 5, 1941 that the Navy decided, for the first
12 time, to carry out the construction of defense works on
13 the Mandated Islands and the order to that effect was
14 issued thereafter. It was not until the middle of
15 November that the organization of the construction,
16 procurement of necessary materials, allotment of ships,
17 loading of ships, etc., took place, and it was not
18 until after the middle of the month that the construc-
19 tion corporations left Japan for the Islands.

20 "5. I have read the testimony of Admiral
21 J. O. Richardson given before this Tribunal relative
22 to the Mandated Islands. Admiral Richardson's state-
23 ment that the Japanese Navy built naval bases through-
24 out the Islands appears to be based on the fact that the
25 English translation of General Order Number 1 uses the

1 word "Base" to indicate the supply station which we
2 constructed on Saipan and eight other places for the
3 purpose of supplying our fleet. It is true that the
4 Japanese Navy planned and actually made use of the var-
5 ious islands for the purpose of supplying our fleet in
6 the Pacific operations after war commenced. The method
7 of supplying the ships which was actually contemplated
8 by the Order consisted mainly of having supply ships
9 enter the coral reefs and to have the vessels supplied
10 from the supply ships, rather than from storage on the
11 Island. Consequently, it must be pointed out that we
12 did not have supply facilities completed on these islands
13 prior to the war or at the beginning of the war. At no
14 time prior to November 5, 1941 did we have what could
15 be considered as a supply dump on any of the eight
16 islands.

17 "In Sub-Division II, Numbers 20 and 21 of his
18 affidavit, Admiral Richardson makes the following state-
19 ment:

20 "Paragraph 20: 'At pages 2/76 and 2/78 is an
21 Appended Table 1, giving initial fuel allowances for
22 supply bases. The boiler oil allowance to five of
23 the eight Mandated Island bases totals 46,500 metric
24 tons. Likewise allotted to the Mandate bases are great
25 quantities of aviation fuel, bombs, machine gun ammuni-

1 tion, torpedoes and mines. Rations are allotted for
2 36,000 persons per month at the eight Mandate bases.
3 Large monthly replenishment allowances are tabulated
4 at pages 2/91 and 2/94. Aircraft material for the
5 South Seas area is to be replenished at TRUK, and
6 submarine material at KWAJALEIN.'

7 "Paragraph 21: 'No doubt Order No. 1 is accurate
8 in applying the term "bases" to these Mandate installa-
9 tions. The materials, the quantities and the areas in-
10 volved indicate that these naval bases and their equip-
11 ment for storage, transport, communications, and guns
12 and ammunition had been established on a large scale
13 and over a considerable period of time.'

14 "It is to be noticed that in Paragraph 20 such
15 words as 'allowances', 'allotted' and 'monthly replenish-
16 ment allowances' appear but there are no such words as
17 'storage' or 'storage installations.' However, he
18 arrives at the conclusion that there were bases on these
19 islands and that at those bases the Japanese Navy had
20 been for some considerable period of time constructing
21 storage, transportation, communication and gunnery facil-
22 ities on a large scale, because the word 'base' appears
23 in Paragraph 21. This conclusion is based on the misun-
24 derstanding that what was indicated in the Appended Table
25 1 as Initial Allowances and Monthly Replenishment Allow-

ances, represented supplies that had been stored on the Island. It must therefore be said that since the statement is based on such a serious misunderstanding, the statement that storage facilities had been constructed on a large scale and over a considerable period of time, is contrary to the facts. Actually there is nothing in the Order intended to mean that the figures indicated on the attached table must be stored on hand. The figures merely indicate the program of the Fleet of the amounts that they wish to have at those points without indicating as to the method that was to be employed. Moreover, while those figures indicate quantities that the Fleet was very desirous of having ready, that is not to say that the desired quantities were there.

"Since I had the responsibility for over-all control and direction concerning supply preparations of the various naval materials, I feel that I know better than anyone else the difficulties involved. These difficulties will become evident when we compare the Fleet needs at the time and the quantities which the Navy actually had on hand. To cite but one instance - according to a study made by an officer in charge of supplies at the Naval Aeronautical Department - the need of 800-kilogram bombs for use by air units stationed at the various points on all fronts was around 2,972.

1 However, the number that the Navy actually had of
2 these bombs was only 800 so that there could be only
3 27% supplied of the amount needed. Moreover, in order
4 to supply those bombs over the widely distributed areas
5 it would have been necessary to have an additional
6 2,600 bombs in reserve. So, when we consider the actual
7 need plus the reserve need, the supply ratio was only
8 14%. In the case of aerial torpedoes, the need at
9 commencement of war was 1,859 against which we had only
10 560. The supply ratio was therefore only 30%. In the
11 case of 20-millimeter machine guns, the need was 9,339
12 of which we actually had only 515. Upon the commence-
13 ment of hostilities we had to send from Taiwan supplies
14 to the coast of French Indo-China in connection with the
15 Prince of Wales sinking, and then as soon as that opera-
16 tion was over, to transfer the supplies to the Mandated
17 Islands. It can thus be seen that it was absolutely
18 impossible to satisfy the fleet needs at all the points
19 concerned.

20 "What I have stated is concerned with the
21 first six months after commencement of hostilities,
22 but if the situation was like that after the war
23 started it was obvious that prior thereto the Navy
24 was even more illy prepared.

25 "In Chapter 7 of General Order No. 1, under

1 the topic 'Supply', the following facts are clearly
2 set forth. In the attached Table 1, notice under
3 the table, Note 1:

4 "Ammunition and Torpedoes are to be loaded on
5 munition ships.' Under the same topic of 'Supply' there
6 is a Paragraph 2 - 'Outline of Supply'. Among sub-topics
7 under that are as follows: Sub-Paragraph (e):

8 "'The various forces will be supplied by supply
9 ships attached to them.'

10 "Sub-paragraph (f): 'If possible, supply bases will
11 not be used to supply other than airplanes and small
12 vessels. In particular, except in unavoidable cases,
13 supply bases will not be used to replenish stocks of
14 supply ships.'

15 Strike the next sentence as immaterial. Contin-
16 uing the affidavit:

17 "These provisions make it absolutely clear that
18 the Order did not contemplate a program of supply from
19 land but rather from supply ships.

20 "As regards fuel, there is no mention of fuel-
21 ing from tankers in the Order but that is because that
22 is a matter of common knowledge or common sense in the
23 Japanese Navy, that supplying of fuel to ships was done
24 from tankers. In other words, they didn't feel that there
25 was any need of pointing out that it was to be done from
tankers.

1 "Regarding construction of fortifications,
2 Admiral Richardson's statement on that subject
3 appears in Paragraphs 24 to 32 of Sub-Division II
4 under nine items. His evidence there is submitted
5 with the blueprint of Wotje Island and two aerial
6 photographs of the same island. I will leave the
7 explanation of this point to a more suitable per-
8 son, but I would like to make one comment - namely,
9 that I recall having been told by Captain MIWA at
10 the time of our transfer that there was no airfield
11 on Wotje Island in the summer of 1940. Moreover,
12 after the defense order was issued early in November
13 of 1941 I, desiring to do everything possible for
14 the construction of airfields on that island, called
15 a conference of all persons concerned. On the
16 basis of what I was told by Captain MIWA and from
17 the discussions at that conference, I am certain
18 that the blueprint submitted by Admiral Richardson
19 did not represent the actual situation on the Island
20 at the time but what merely was a plan drawn up for
21 the purpose of study. Further, it appears that
22 Admiral Richardson's statement that the blueprint
23 shows that before 10 August 1940 the Japanese Navy
24 and Government had already created extensive forti-
25 fications is not only contrary to fact but is an

1 unwarranted conclusion without actual background.

2 "6. Under date of 17 December 1920, there
3 is a provision in the Versailles Treaty under the
4 heading 'Mandate of Former German Islands North of
5 the Equator.' In Paragraph 4 of that treaty it
6 states:

7 "There must be no military education of
8 the natives except for purposes of police within
9 the Island and for local defense purposes. Moreover
10 all military and naval construction of naval and
11 military bases and fortification is prohibited.'

12 "Since it was the duty of my office to view
13 constructions on the Mandated Islands in keeping
14 with the terms of this treaty, it was decided that
15 even under ~~its~~ provisions the obligation of the
16 Japanese Navy of policing and locally defending the
17 Mandated Islands could not be overlooked. We there-
18 fore took the view that we were permitted to carry
19 on military education of the natives for the sole
20 purpose of affording them the opportunity of self-
21 defense and self-protection. While we did not
22 undertake this in pursuance of the above interpreta-
23 tion, the Japanese Navy did plan and carry out
24 cruises for this purpose in the way of patrols and
25 defensive training maneuvers.

1 ~~"The Japanese Navy has always drawn a clear-~~
2 cut distinction between 'Kon Kyochi,' translated
3 'Naval Base' and the word 'Kichi,' translated
4 'Available Spot.' We use the word 'Naval Base' to
5 designate the naval station or a port having special
6 facilities which make it possible for them to be
7 used as fleet bases. And by 'special facilities'
8 was meant accommodations for certain fleet units,
9 repair facilities and conditions which made it
10 suitable for supplying of weapons, naval supplies,
11 fuel, fresh water and if possible, also for re-
12 placement of personnel. Such was our conception of
13 'Naval Bases' and it corresponds to the term 'Naval
14 Base' as used in England and America. By contrast,
15 the word 'Kichi' translated 'Available Spot' was
16 used in a much lighter sense. This was used to
17 designate places where the Fleet could anchor
18 temporarily or receive certain kinds of supplies or
19 serve as places for forced landings of planes. To
20 such places we apply the term 'Supply Spot,' 'Forced
21 Landing Spot' and just 'Available Spot.' It corre-
22 sponds to what the Americans and British would call
23 'Available Spot,' 'Anchorage.'

24 "Since as I have stated the facilities on the
25 eight islands mentioned in General Order Number 1

1 were either seriously or completely lacking in the
2 requirements of a 'Naval Base,' it was a mistake
3 to designate them as 'Naval Bases.' In the Order in
4 question, the word 'Kichi' was used in the sense of
5 'Available Spot.'

6 "The word 'Fortifications' originated in
7 the Army and came to be used by the Navy later and
8 at least in the Naval Affairs Bureau we had the
9 following conception of the word 'Fortification.'
10 The naval conception of 'Fortification' is that it
11 must contain the following essentials:

12 "(1) It must have armament and fixed
13 defensive facilities with which it can resist and
14 defend itself from enemy attack from land, sea and
15 air.

16 "(2) It must be defended by land forces.

17 "Consequently, the facilities I have pre-
18 viously mentioned, namely, such cultural and in-
19 dustrial developments as airfields, wireless stations,
20 ports and harbors, as well as oil tanks, even con-
21 structed for the purpose of supplying fuel for our
22 vessels on cruises, cannot be characterized as
23 fortifications.'

24 Signed "YOSHIDA, Hideo."

25 You may cross-examine.

THE PRESIDENT: Brigadier Quilliam.

CROSS-EXAMINATION

BY BRIGADIER QUILLIAM:

Q Witness, I want to refer to only one matter in your affidavit. On page 9, in paragraph 4, you refer to the order issued in November 1941, for the fortification of the islands.

You know what I am referring to?

A Yes.

Q Will you please tell the Tribunal who issued that order?

A According to my recollection the orders came separately from the Chief of the Naval General Staff and from the Navy Minister.

Q And the Navy Minister was the accused SHIMADA?

A Yes.

Q Will you tell the Tribunal for what period of time those orders had been in existence?

A I am afraid I cannot understand your meaning.

Q How long before November 1941 had those orders been prepared?

A I do not think any such thing was planned before November 5, 1941. The Navy Minister's orders

1 did not come until after the 10th of November.

2 Q But plans had been drawn up, had they not,
3 for some time before November 1941?

4 A As for us, we had studied the matter as
5 part of our duties from different angles, and also
6 had informal plans, draft plans. However, as far
7 as the Navy Ministry is concerned, written plans had not
8 been drawn up previously.

9 Q No, the point is this, Witness: Plans had
10 been under consideration, had they not, for a period
11 of at least two or three years before November 1941?

12 A When I assumed my post I was told that the
13 General Staff did have, had made investigations into
14 that subject, and that there were many studies on
15 that and also draft plans.

16 BRIGADIER QUILLIAM: That is all. Thank
17 you.

18 MR. BRANNON: We ask that the witness be
19 excused on the usual terms.

20 THE PRESIDENT: He is excused accordingly.

21 (Whereupon, the witness was excused.)

22 MR. BRANNON: We call the witness HAYASHI

23 Hisao.
24
25

1 H I S A O H A Y A S H I, called as a witness on
2 behalf of the defense, being first duly sworn,
3 testified through Japanese interpreters as
4 follows:

DIRECT EXAMINATION

BY MR. BRANNON:

Q Will you state your name, please?

A HAYASHI Hisao.

MR. BRANNON: Will you please hand the
witness defense document 1742?

Q Is that your affidavit?

A It is.

Q Are the facts contained therein true and
correct?MR. BRANNON: We offer in evidence defense
document 1742, the affidavit of HAYASHI Hisao, for
the purpose of testifying about conditions on the
Islands of Palau and Saipan, both in the Mandated
Group.THE PRESIDENT: I did not hear his answer
to the last question.

MR. BRANNON: I am sorry.

THE PRESIDENT: Are the contents of that
affidavit true, Witness?

THE WITNESS: They are.

THE PRESIDENT: Admitted on the usual terms.

CLERK OF THE COURT: Defense document 1742
will receive exhibit No. 2991.

(Whereupon, the document above
referred to was marked defense exhibit No.
2991 and received in evidence.)

1 MR. BRANNON: Omitting the formal parts I
2 read the affidavit of HAYASHI, Hisao:

3 "1. My name is HAYASHI, Hisao. From August
4 of 1933 to September of 1936 I was Chief of the
5 South Seas Board, which was the administrative organ
6 of the South Seas Mandated Islands, with its main
7 office in Palao.

8 "2. I state positively that there were no
9 military installations in the South Sea Islands while
10 I held my post there. It is true that there were some
11 harbor constructions and some aeronautic installations.
12 However, they had no military purpose, their only
13 objective being the economic and cultural development
14 of the South Sea Islands.

15 "3. As soon as I assumed my post, it
16 occurred to me that aeronautic installations were
17 necessary for transportation between Japan proper and
18 the Islands, for discovering schools of fish and for
19 the rescue of the wrecked ships. Just before I went
20 to Palao to take up my post, I talked with Admiral
21 OSUMI, Mineo, then Minister of Navy, about the con-
22 struction of airfields. He told me that the construc-
23 tion of airfields would better be given up for the
24 present, because it could cause difficulties in the
25 League of Nations. However, since I believed that it

1 was absolutely necessary for the development of the
2 South Seas Area, and as it was for no military purpose,
3 I made up my mind that it should by all means be
4 carried out.

5 "The South Seas Board first constructed a
6 seaplane ramp in Palao, and then one in Saipan. The
7 Board also planned to construct seaplane ramps in other
8 islands. At first we had only two seaplanes which we
9 borrowed from the Navy and operated on a test basis.
10 The construction work on the airfield for land planes
11 was commenced in Saipan in 1934. However it was not
12 completed during my tour of duty.

13 "4. My idea of the development of the South
14 Seas Area could not easily be fully carried out owing
15 to the small budget of the South Seas Board. So I
16 tried to attain my object by setting up a ten-year
17 plan for the development of the South Sea Islands.
18 This plan was carried out by a Cabinet decision which
19 adopted the report of the Investigation Committee for
20 the Development of the South Sea Islands. This plan
21 had in view a wide range of projects concerning the
22 development of the South Sea Islands and included the
23 following items.

24 "(1) The development of agriculture, forestry,
25 mining and aquatic products industries is to be

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1 such order by the Foreign Ministry or by the Navy
2 Ministry.

3 "I recall many instances of foreign visitors'
4 calling on me at Palao during my stay there.

5 "(Signed) HAYASHI, Hisao."

6 You may examine.

7 THE PRESIDENT: Brigadier Quilliam.

8 BRIGADIER QUILLIAM: May it please the
9 Tribunal, there will be no cross-examination.

10 THE PRESIDENT: The witness is excused on
11 the usual terms.

12 (Whereupon, the witness was excused.)

13 THE PRESIDENT: Mr. Roberts.

14 MR. ROBERTS: We call as our next witness
15 Shunsuke KONDO.

16 S H U N S U K E K O N D O, called as a witness on
17 behalf of the defense, being first duly sworn,
18 testified through Japanese interpreters as follows:
19

20 DIRECT EXAMINATION

21 BY MR. ROBERTS:

22 Q Please state your name and address.

23 A My name is KONDO, Shunsuke. My address:
24 269 1-Chome, Akatsutsumi-machi, Setagaya-ku, Tokyo.

25 MR. ROBERTS: May the witness be shown defense
document 1513.

1 Q Please examine that document and tell us
2 whether or not it is your sworn affidavit.

3 A This is my affidavit undoubtedly.

4 Q Are the contents true and correct.

5 A They are true and correct.

6 MR. ROBERTS: I offer defense document
7 1513 in evidence.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Defense document 1513
10 will receive exhibit No. 2992.

11 (Whereupon, the document above
12 referred to was marked defense exhibit
13 No. 2992 and received in evidence.)

14 MR. ROBERTS: I read exhibit No. 2992:

15 "1. My name is KONDO, Shunsuke. I live in
16 Tokyo. I served as Chief of the Nanyo-Cho or the
17 South Seas Bureau from April 1940 to November 1943.
18 My headquarters during that period were on the Island
19 of Palau. Some years before I took over the above
20 position a so-called 10-year plan for the development
21 of the Mandated Islands was commenced. It envisioned
22 the construction of harbors, aviation facilities,
23 light houses, wireless stations, meteorological
24 stations, roads and fisheries facilities. These
25 facilities were not in contemplation of war nor were

1 they considered as either fortifications or military
2 installations by the Bureau. They were actually
3 necessities and of great cultural and commercial
4 value to Japan in furthering the development of the
5 Islands.

6 "2. The harbor work at Palau, Saipan, and
7 Truk consisted of opening up the coral reefs, con-
8 struction of wharves, erection of light houses and
9 installing navigation aids, all with the object of
10 assisting the merchant shipping. These works were
11 commenced under my predecessors in office and were
12 continued during my tenure. The aviation facilities
13 which had been constructed consisted of an airfield
14 for land planes on Saipan and ramps for seaplanes on
15 Saipan, Truk, Palau and Jaluit, the principal ones
16 being at Saipan and Palau. All of these facilities were
17 constructed by the Nanyo-Cho or the South Seas Bureau
18 with the object of establishing an air line between
19 Japan proper and the Islands together with an inter-
20 island service between Saipan and Palau, Truk, Ponape
21 and Jaluit. These air line services were undertaken by
22 the Nippon Air Line Company. Although neither the
23 planning or execution of the above mentioned project
24 had been made at the request or under the direction of
25 the Navy, some assistance was received from the Navy in

1 the way of technical advice and in the procurement of
2 materials and labor, and in the transportation. We
3 would have been seriously handicapped or the task
4 made completely impossible were it not for this
5 assistance rendered us by the Navy.

6 "3. At the time I assumed my position there
7 were about 100 foreigners living on the Islands,
8 mostly Spanish missionaries and Chinese. I recall
9 one American family on Kusai Island which had settled
10 there from the preceding generation and were engaged
11 in soap manufacturing. Travel between Japan proper
12 and the Islands had actually been restricted from
13 before my time. That restriction applied to for-
14 eigners and Japanese. There was a decided inadequacy
15 of shipping accommodations, especially since so many
16 merchantmen had been requisitioned after the outbreak
17 of the China trouble. Besides there was a decided
18 lack of lodging facilities, proper food supply and
19 other accommodations which were necessary for exist-
20 ence on the Islands. Because of these circumstances,
21 it is true that travels for the Islands were restricted
22 to the minimum. Prior to December of 1941 I did not
23 see any guns or other military installations. Actually
24 many of the Japanese on the Islands were extremely un-
25 easy as to what would happen to them in the event of

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1 hostilities and thought that there should be some
2 measures taken to afford them security."

3 You may examine.

4 THE PRESIDENT: Brigadier Quilliam.

5 BRIGADIER QUILLIAM: May it please the
6 Tribunal, we do not wish to cross-examine.

7 THE PRESIDENT: The witness is released on
8 the usual terms.

9 (Whereupon, the witness was excused.)

10 MR. ROBERTS: We call the witness Junichi
11 OBARA.

12 J U N I C H I O B A R A, called as a witness on
13 behalf of the defense, being first duly sworn,
14 testified through Japanese interpreters as fol-
15 lows:
16

17 DIRECT EXAMINATION

18 BY MR. ROBERTS:

19 Q Please state your name and address.

20 A My name is OBARA, Junichi. My address: 60
21 1-Chome, Tamagawa Okusawa-machi, Setagaya-ku, Tokyo.

22 MR. ROBERTS: May the witness be shown
23 defense document 1515.

24 Q Please examine that document and tell us
25 whether or not it is your sworn affidavit.

A This is my affidavit without mistake.

Q Is it correct and true?

1 A It is correct.

2 MR. ROBERTS: I offer defense document
3 1515 in evidence.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Defense document 1515
6 will receive exhibit No. 2993..

7 (Whereupon, the document above
8 referred to was marked defense exhibit
9 No. 2993 and received in evidence.)

10 MR. ROBERTS: I read exhibit No. 2993:

11 "1. My name is OBARA, Junichi. I formerly
12 was employed by the Nanyo Kohatsu Kaisha which is the
13 South Seas Promotion and Development Joint Stock Company.
14 Prior to June 1941 I was head of the company's sugar
15 manufactory on Tinian Island. I then was transferred
16 to the company's branch office on Saipan as a director
17 of the company having over-all charge of the sugar
18 industry on Saipan, Tinian and Rota. I reached Saipan
19 in August of 1941. Except for short trips I was on
20 Saipan until 1944, at which time I returned to Japan.

21 "2. With the background I have given as to
22 the nature of my work and my stay on Saipan I feel
23 confident there is little I did not know about the
24 Island. The Island was certainly not fortified before
25

1 December 8, 1941, at the outbreak of war. Even after
2 that time and immediately before the American attack
3 there were no effective defenses constructed.

4 "Here is the actual condition of Saipan on
5 December 8, 1941: There was an airfield at Aslito
6 which consisted of a thin coating of concrete spread over
7 the airstrip. It was begun in 1934 and completed in
8 1935. In 1939 it was increased in size, the work being
9 done by our company. There was also a small seaplane
10 ramp consisting of two small hangars capable of housing
11 one plane apiece. There was a small warehouse for
12 spare parts and a few crude buildings serving as lodg-
13 ing quarters for the employees of the field.

14 "There were no oil tanks on Saipan capable
15 of holding oil at the time of the outbreak of war.
16 There were some tanks in the process of being con-
17 structed and which were not completed until well into
18 1942. After the outbreak of war some guns were moved
19 into Agikan and Nafutan. Some time later, those guns
20 were removed and wooden guns put in their place. I
21 saw one wooden gun being installed.

22 "Actually, the situation on Saipan was such
23 that an attack at the time of the outbreak of war would
24 have found the Island entirely helpless. Tinian and
25 Rota were in a like condition. It is ridiculous to say

1 these Islands were fortified unless the information
2 I have given warrants that conclusion.

3 "3. I have been shown the affidavit pur-
4 portedly made by WAKAMATSU, Makoto. (Prosecution
5 exhibit 884). I know him well since he served under
6 me as a technician in our company's sugar factory on
7 Tinian for about two years. After he was transferred
8 to Saipan hardly a day went by that I did not see him
9 in connection with the company's work. Having been
10 asked if I agree with the information in his alleged
11 affidavit I most emphatically say I do not.

12 "The facts I have already given will indicate
13 my disagreement with the statement. There were no
14 military installations in the vicinity of the Aslito
15 field; there were no concrete trenches and shelters
16 around the field; there were no coastal guns located
17 on Agingan Point and Nafutan Point, or any other place
18 prior to the commencement of hostilities. I cannot
19 believe WAKAMATSU was in a better position than I to
20 make these observations and hence I seriously question
21 the accuracy of the statement.

22 "4. As to the statement contained in
23 prosecution exhibit 890, that construction on five
24 barrack buildings to house approximately 3,000 persons
25 was begun in 1938, I can only say it is entirely false.

1 When military personnel came to the Island in March
2 1944 my own house and half of the company's structures
3 were turned over to them because of lack of barracks.
4 Even then part of the troops had to live in tents.

5 "5. I know nothing about restrictions on
6 foreigners visiting Saipan, Tinian and the nearby
7 Islands. I do know that the Nanyo Trading Company
8 which had an office in Guam pulled out in 1933 because
9 of numerous trade restrictions and that in 1936, I
10 believe, Japanese were prohibited by American authorities
11 from going there."

12 You may cross-examine.

13 THE PRESIDENT: Brigadier Quilliam.

14 BRIGADIER QUILLIAM: May it please the Tribunal,
15 we do not wish to cross-examine the witness.

16 MR. ROBERTS: May the witness be excused on
17 the usual terms.

18 THE PRESIDENT: He is excused accordingly.

19 (Whereupon, the witness was excused.)

20 MR. ROBERTS: We now call the witness
21 Misuburo MUKAWA.
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1 MISUBURO MUKAWA, called as a witness
2 on behalf of the defense, being first duly sworn,
3 testified through Japanese interpreters as fol-
4 lows:

DIRECT EXAMINATION

BY MR. ROBERTS:

Q Will you please state your name and address?

A MUKAWA, Misuburo. My address is: 601 4-Chome,
9 Koenji, Suginami-ku, Tokyo.10 MR. ROBERTS: May the witness be shown
11 defense document 1517.12 Q Please examine this document and tell us
13 whether or not it is your sworn affidavit?

14 A This is undoubtedly mine.

15 Q Are the contents true and correct?

16 A They are correct.

17 MR. ROBERTS: I offer in evidence defense
18 document No. 1517.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: Defense document No. 1517
21 will receive exhibit No. 2994.22 (Whereupon, the document above
23 referred to was marked defense exhibit
24 No. 2994 and received in evidence.)

25 THE PRESIDENT: We will recess for fifteen

minutes.

(Whereupon, at 1445, a recess was
taken until 1500, after which the proceedings
were resumed as follows:)

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MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Mr. Roberts.

MR. ROBERTS: I proceed to read exhibit 2994.

"1. My name is MUKAWA, Misaburo. I reside in Tokyo. I have been connected with the South Seas Islands for many years, having gone to Truk Island in 1916 as an employee of the South Seas Trading Company. In 1926 I was transferred to Palau Island where I stayed until 1937. As vice-chief of the branch office I again returned to Truk where I remained until spring of 1939, when I returned to Tokyo.

"In September, 1941, I again went to Palau as chief of the branch office. In August 1942 I became chief of the business office at Ambon where I remained until January 1944, at which time I returned to Japan.

"2. When I went to Truk in 1916 I found the headquarters of the South Sea Island Defenses with a certain number of armed personnel. Around 1918 or 1919 all of the forces were withdrawn and from that time up to 1926, when I left, and also from 1937 to 1939, during which time I resided again on the same island, there were no armed personnel,

military installations or fortifications.

1 "3. During my days on Palau from 1926-
2 1938, a resident naval officer was there, and with
3 this exception there were no military personnel or
4 military installations of any kind. In 1941, when
5 I returned to Palau, there were still no military
6 installations. Air travel was limited to sea planes
7 operated by the Nippon Air Navigation Company. Even
8 at the outbreak of war, the island appeared wholly
9 defenseless, causing us great anxiety that disaster
10 might lie in wake of this unpreparedness. After
11 commencement of war some naval aircraft and naval
12 personnel came to the island but no fixed military
13 installations were constructed until August of 1942.

15 "4. Counsel has shown me affidavits or
16 statements taken from various natives on the South
17 Sea Islands, which I was told were used in this court
18 to prove the construction of military installations.
19 Because of my long association with these peoples I
20 can truthfully say they, on the whole, were possessed
21 of poor mental faculties. Most of them are unable to
22 tell their age and even those educated in public
23 schools under the South Sea Board could count only
24 such simple numbers as were necessary for daily life.
25 Further, I did not find them trustworthy; they would

HUKAWA
SUZUKI

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1 lie on the slightest provocation or from mere ex-
2 pedience."

3 Signed, the 20th day of May, 1947.

4 You may cross-examine.

5 THE PRESIDENT: Brigadier Quillian.

6 BRIGADIER QUILLIAN: May it please the
7 Tribunal, we do not cross-examine.

8 MR. ROBERTS: May the witness be excused
9 on the regular terms?

10 THE PRESIDENT: He is excused accordingly.

11 (Whereupon, the witness was
12 excused.)

13 MR. ROBERTS: We next call the witness
14 SUZUKI, Suguru.

15 - - -

16 SUGURU SUZUKI, called as a witness on
17 behalf of the defense, being first duly sworn,
18 testified through Japanese interpreters as
19 follows:

20 DIRECT EXAMINATION

21 BY MR. ROBERTS:

22 Q Please state your name and address.

23 A My name is SUZUKI, Suguru; my address,
24 105 Wakabayashi Machi, Setagaya-ku, Tokyo.

25 Q May the witness be shown defense document

1 No. 1516?

2 Is this document your sworn affidavit?

3 A It is mine.

4 Q Is it correct and true?

5 A Yes.

6 MR. ROBERTS: I offer in evidence defense
7 document No. 1516.

8 THE PRESIDENT: Brigadier Quillian.

9 BRIGADIER QUILLIAN: May it please the
10 Tribunal, I wish to refer to page 5 of the English
11 copy of the affidavit. It is submitted that the
12 whole of that page and down to the end of the para-
13 graph should be rejected on the ground of its being
14 irrelevant and immaterial. It refers, in the first
15 place, to alleged restrictions against Japanese and
16 perhaps other people from visiting the American
17 possession of' Guan. Then there is a reference to
18 some activity on the part of the United States flying
19 boats over the area comprised within the Mandated
20 Islands. This is followed by some rather vague
21 charges in connection with alleged wireless obstruc-
22 tions, and then apparently it is alleged that in
23 1940 a United States warship behaved in a provocative
24 way near one of the islands. In our submission, none
25 of those matters have any value or any relevance to

1 this case, and even if they were accepted by the
2 Tribunal as being true they couldn't affect the
3 issue in any way at all.

4 THE PRESIDENT: Mr. Roberts.

5 MR. ROBERTS: The prosecution has made much
6 of the fact that restrictions were placed upon travel
7 to various of the Mandated Islands. We have admitted,
8 as the Court will recall, in some of the previous
9 affidavits that some restrictions were imposed be-
10 cause of travel facilities, et cetera. Because the
11 matter of restrictions was brought up by the prosecu-
12 tion, they would like the Court to make inference
13 that something was wrong, something was being done.
14 We would like through this witness to point out some
15 of the other incidental factors concerning not only the
16 Japanese Mandated Islands but the Island of Guam and
17 other islands where the situation was probably very
18 similar.

19 THE PRESIDENT: The prosecution are alleg-
20 ing against you that you fortified these islands, or
21 that the Japanese did, in defiance of treaty obliga-
22 tions, and they give us evidence of the exclusion of
23 persons from the Japanese Mandated Islands to show
24 there was suppression. And suppression or conceal-
25 ment is always a relevant matter on a charge of crime.

1 That is not met by proving that the United States ex-
2 cluded a single individual from the United States
3 mandated territories for some reason or other.

4 I am corrected. The exclusion was not
5 from United States mandated territory, but from
6 United States territory.

7 MR. ROBERTS: The Island of Guam was
8 adjacent to some of these Mandated Islands. I feel
9 that it is important for the Court to know what the
10 circumstances were, what the environment was on all
11 the islands, not only the Mandated Islands.

12 THE PRESIDENT: By a majority the objection
13 is sustained and the paragraph of the document ob-
14 jected to is rejected. The balance is admitted on
15 the usual terms.

16 CLERK OF THE COURT: Defense document 1516
17 will receive exhibit No. 2995.

18 (Whereupon, the document above
19 referred to was marked defense exhibit
20 No. 2995 and received in evidence.)
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1 MR. ROBERTS: I read exhibit 2995 as
2 indicated.

3 "1. My name is SUZUKI, Suguru. I held
4 the rank of Commander in the Japanese Navy and
5 between the years 1937 and 1939 I served as Flying
6 Section Officer of the Yokohama Naval Air Force. I
7 was required to assist in the training of personnel
8 for the Nippon Airline Company, a privately-owned
9 concern which was planning to open a regular air
10 route to the South Seas area. It was planned to use
11 heavy flying boats which demanded that new personnel
12 be taught maintenance, air navigation and piloting
13 of such heavy craft. Since even the Navy itself
14 possessed few men with definite knowledge in this
15 field I was assigned to serve as instructor.

16 "2. In pursuit of my assignment, in August
17 of 1938, I made an inspection tour of the inner South
18 Seas Island area visiting many of the Mandated
19 Islands. Later, also in the course of my duties, it
20 was necessary to fly directly down to the islands for
21 the purpose of making a survey for potential landing
22 facilities on the islands. I received no instructions
23 from the Navy to assist in this work for the purpose
24 of establishing potential military air fields and I
25 emphatically emphasize the fact that they were

1 considered only for civilian commercial purposes
2 for the use of the Nippon Airline Company.

3 "3. In December of 1939 I was appointed
4 Staff Officer of the newly-organized 4th Squadron of
5 the Japanese Navy. My duties pertained to matters
6 dealing with aviation and communications. Again I
7 toured the inner South Seas area, this time aboard
8 ship visiting many of the Mandated Islands. I made
9 over-all studies of the Mandated Islands to the end
10 of drafting plans for military defense that might be
11 employed in the event of possible hostilities. This
12 did not mean that the intention was present to fortify
13 the Mandated Islands but only that the necessary
14 plans and preparations to properly defense said islands
15 would be on hand and available in the event their
16 use was necessary. Military men will understand this
17 to be a necessary procedure. At no time during my
18 many visits to the Mandated Islands which included
19 Saipan, Kwajalein, Wotje, Jaluit, Taroa, Truk and
20 Palau did I observe any military fortifications or
21 constructions that might be classified as military
22 installations. To the contrary, it appeared to me
23 that Japan was being extremely lax in taking necessary
24 precautionary measures which they rightfully could
25 have done even under treaty specifications.

1 "4. In April of 1940 I was relieved of my
2 assignment and enrolled at the Naval Staff College as
3 a student officer. Therefore, after this date I
4 truthfully cannot testify from personal observations
5 as to the conditions on the Mandated Islands. I can
6 say that when I returned to Japan at this time I
7 submitted a plan, in documentary form, to the Naval
8 General Staff setting forth my ideas on potential
9 defense preparations that should be made regarding
10 the South Seas Islands area. It may well be that
11 the blueprint map of potential installations on Wotje
12 Island, dated August 10, 1940, and introduced as
13 prosecution evidence in this case was the result of
14 some of the suggestions made in my report. I wish
15 to stress that they were merely plans of potential
16 action to be taken and were not in any way concrete
17 schedules to be actually executed.

18 "In regard to the establishing of air fields
19 on several of the Mandated Islands, I wish to state
20 that the Nippon Airline Company desired to begin trial
21 flights on its new commercial run in September of
22 1938. In order to make this possible it was necessary
23 to construct simple sea plane ramps to accommodate
24 the 4-engine heavy flying craft. As I stated pre-
25 viously, the supply of pilots for this type of

1 aircraft was extremely limited and that the only
2 source of instruction for potential pilots had to
3 come from the Navy. Even in the Navy itself there
4 were very few men who could handle such large ships.
5 The first group to receive training consisted of four
6 pilots, two wireless operators, two mechanics and a
7 number of ground mechanics. The number was gradually
8 increased and by the end of 1939 eight pilots had
9 completed the training course. They were all civilians,
10 two of which were reserve naval petty officers. Land-
11 ing facilities for the planes were established at
12 Arakebesen Island in the Palau group and nearly
13 completed in late 1938. At Saipan Island a temporary
14 slip had been built and it was not until late 1938
15 that a concrete slip and a small-sized hangar was
16 installed. If my memory serves me correctly there
17 was an improvised air field on Saipan which was
18 little more than a leveled-off bit of farm land. At
19 Yap Island there were no facilities to lift or
20 lower planes and only buoys were used.

21 "5. The Nippon Airline Company was a
22 privately-owned concern receiving subsidies from
23 the government. The reason for this was during this
24 time it was difficult for the company to sustain itself
25 in such an early period of development with income

1 dependent solely on passenger traffic and freight
2 charges. Since it was deemed advisable, from purely
3 a commercial point of view, to promote a rapid
4 development of this type of air travel the govern-
5 ment, but naturally, lent its assistance."

6 You may cross-examine.

7 THE PRESIDENT: Brigadier Quillian.

8 BRIGADIER QUILLIAN: May it please the
9 Tribunal, we do not wish to cross-examine.

10 THE PRESIDENT: The witness is discharged
11 on the usual terms.

12 (Whereupon, the witness was excused.)

13 MR. ROBERTS: We call the witness Yuzuru GOTO.

14
15 Y U Z U R U G O T O, called as a witness on behalf
16 of the defense, being first duly sworn, testified
17 through Japanese interpreters as follows:

18 DIRECT EXAMINATION

19 BY MR. ROBERTS:

20 Q Please state your name and address.

21 A My name is GOTO, Yuzuru. My address,
22 336 Hini-nachi, Yokosuka City.

23 Q Lay the witness be shown defense document
24 No. 1692.

25 Please examine this document and tell us

whether or not it is your sworn affidavit.

A This is mine undoubtedly.

Q Is it true and correct?

A Yes.

MR. ROBERTS: I offer in evidence defense document No. 1692.

THE PRESIDENT: Admitted on the usual terms.

CLERK OF THE COURT: Defense document 1692 will receive exhibit No. 2996.

(Whereupon, the document above referred to was marked defense exhibit No. 2996 and received in evidence.)

MR. ROBERTS: I shall read exhibit 2996, but I would at this time like to call the Court's attention to the fact that the affidavit refers to certain prosecution exhibits, and we have placed these upon our order of proof for the Court's perusal, being exhibits No. 883, 885, 886, 888, 890, 891, and 893.

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1 "1. My name is GOTO, Yuzuru. I live in
2 Yokosuka City. I was formerly a naval engineer. I
3 was at Palao Islands from October, 1937 to April,
4 1938 and at Saipan from October, 1939 to March, 1941.

5 "2. In Palao Islands I was engaged in the
6 construction of the aerodrome at Peliliu. It was called
7 'the farm' at that time. It was actually impossible
8 to use it as an aerodrome, since nothing was done but
9 ground-levelling by clearing the jungle and laying
10 down coral. The construction of this aerodrome was under-
11 taken by the South Seas Board, but the Navy gave
12 assistance to that work. I was informed that the Navy's
13 intention was to use it as a field for forced landings
14 in time of manoeuvres.

15 "In Palao Islands there was already a seaplane
16 ramp with some attached establishments, but it was
17 merely utilized for the air-route of the Nippon Air
18 Navigation Company, a private company, and was not for
19 military purposes.

20 "3. In Saipan, mainly I supervised the work
21 of oil-tank construction. The oil-tanks were five in
22 all, three of them having a capacity of about 10,000
23 tons while the other two had a capacity of about 1,000
24 tons. None of them was however completed by the time
25 I left there for Japan in March, 1941.

1 "There were an aerodrome and a sea-plane
2 ramp in Saipan, but the aerodrome was not sufficiently
3 surfaced, had no hangar, no repair works and no radio
4 station. It was not completed to be utilized as an
5 aerodrome. The sea-plane ramp was used only by the
6 Nippon Air Navigation Company as in Palao.

7 "During my stay in Palao and Saipan there
8 were no military installations. The aerodromes and
9 oil-tanks above referred to were the only things I saw
10 that could in any way be the subject of controversy
11 in this regard.

12 "Some natives were used as labourers in the
13 construction of aerodromes or oil-tanks, but they were
14 not compelled by corporal discipline, nor were they
15 treated cruelly. Reasonable wages were paid to them.

16 "4. Manuel Blanco, in his Deposition (I.P.S.
17 document No. 6022, Court exhibit No. 883), says that
18 anti-aircraft guns and coast guns were installed at
19 Asleto (T.N. Phonetic) in 1940. However, there were no
20 gun installations at that time. He also states that there
21 were air-raid shelter trenches and camouflaged hangars
22 in 1938. There were nothing like these at that time.

23 "5. In the Deposition of Ignacio Benavente
24 (I.P.S. Document No. 6019, Court exhibit No. 885) it is
25 stated that he heard that a dump of ammunition and large

1 tanks were under construction near the Saipan Harbour
2 in 1935. This is a mistake. The construction of large
3 tanks was commenced after I arrived at Saipan in 1939
4 and not completed when I left in March of 1941 as I
5 stated before.

6 "6. According to the Deposition of Elias
7 P. Sablan (I.P.S. document No. 6020, Court exhibit No.
8 886) the Japanese brought guns of about 10-inch caliber
9 to Saipan around 1937, and set them up in 1939 and
10 1940. However, there was no such fact. It must be that
11 he referred to the fact that guns for manoeuvres were
12 landed temporarily.

13 "In the same Deposition, he states that enforced
14 labour of natives began in 1939. It is true that natives
15 were engaged in the construction work, but they were
16 never used severely. Two yen a day was no small pay
17 at that time.

18 "7. Antonio Angailen, in his Deposition
19 (I.P.S. document No. 6025, Court exhibit No. 888),
20 states that Japanese gun-emplacements were laid in 1940.
21 But there was no such fact as this by the time I left
22 Saipan in March, 1941.

23 "8. Concepcion Blanco, in his Deposition
24 (I.P.S. document No. 6021, Court exhibit 890), states
25 that five barracks having a capacity of about 3,000

military and naval men were constructed in 1938.

1 However there were only two or three barracks having a
2 capacity of about 100 persons, and there were no military
3 or naval men.

4 "9. Vincenti De Leon Guerrero, in his
5 Deposition (I.P.S document No. 6017, Court exhibit
6 No. 891), states that in Saipan there were six under-
7 ground oil-tanks in 1937. However, the construction of
8 oil-tanks in Saipan was for the first time undertaken
9 after I arrived there in 1939. He states also that
10 gun-emplacements were laid in 1939. This is not true.

11 "10. Jose S. Pangelinan, in his Deposition
12 (I.P.S. document No. 6018, Court exhibit 893), states
13 that in Saipan there were 2 hangars containing big and
14 small airplanes, 1 big concrete shelter containing all
15 kinds of explosives, bullets and bombs, 2 or 3 aircraft
16 repair-shops, and 8 or 10 big barracks in 1940. He
17 must refer to facts after the outbreak of the War. In
18 1940, there were no such constructions except two small
19 hangars containing one seaplane and two or three small
20 buildings. There was no big barracks, furthermore there
21 was not a military or naval troop. There were no
22 repair works and no shelter trenches.

23 "On this 17th day of May, 1947."

24 You may cross-examine.
25

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THE PRESIDENT: Brigadier Quilliam.

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BRIGADIER QUILLIAM: May it please the Tribunal, there will be no cross-examination.

5

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MR. ROBERTS: May the witness be excused on the usual terms?

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THE PRESIDENT: He is excused accordingly.

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(Whereupon, the witness was excused.)

MR. ROBERTS: Mr. Brannon will proceed.

THE PRESIDENT: Mr. Brannon.

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MR. BRANNON: We call next the witness Asashichi IWASAKI.

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1 A S A S H I C H I I W A S A K I, called as a
2 witness on behalf of the defense, being
3 first duly sworn, testified through Jap-
4 anese interpreters as follows:

5 MR. BRANNON: Will you please hand the witness
6 defense document 1521?

7 (Whercupon, a document was handed to
8 the witness.)

9 THE PRESIDENT: We want his name and address,
10 Mr. Brannon.

11 DIRECT EXAMINATION

12 BY MR. BRANNON:

13 Q Will you state your name and address, please?

14 A My name is IWASAKI, Asashichi. My address is
15 1933 of 3 Kanamachi, Katsushika-ku, Tokyo.

16 Q Will you please look at defense document 1521
17 and tell the Tribunal if that is your affidavit?

18 A This is undoubtedly mine.

19 Q Is it true and correct?

20 A It is true.

21 MR. BRANNON: We offer in evidence defense
22 document 1521, which is the testimony of the witness,
23 IWASAKI, who drafted the blueprint map of Wotje Island
24 bearing prosecution exhibit No. 1253-C.
25

THE PRESIDENT: Admitted on the usual terms.

1 CLERK OF THE COURT: Defense document 1521
2 will receive exhibit No. 2997.

3 (Whereupon, the document above re-
4 ferred to was marked defense exhibit No. 2997
5 and received in evidence.)
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1 MR. BRANNON: I read the affidavit of
2 IWASAKI Asashichi:

3 "1. My name is IWASAKI, Asashichi. I reside
4 in Tokyo. From September 1st, 1928 until October 15th,
5 1945 I was employed as an assistant engineer in the
6 Naval Construction Division of the YOKOSUKA Naval
7 Station. My duties encompassed the supervision and
8 planning of various blueprint maps for potential
9 naval construction.

10 "2. Some time around August 1940, my office
11 received a routine order from the Naval General Staff
12 to prepare a blueprint draft of some building construc-
13 tions on Wotje Island. I supervised the making of
14 this blueprint which was done by my assistants. It
15 was completed in approximately three days. My refer-
16 ence to the making of this blueprint as a routine
17 order was because it was quite customary for my office
18 to receive various assignments for blueprint construc-
19 tion in order to give the Navy definite and accurate
20 information on which to base their requests for the
21 Naval Budget around April 1st of each year. We had
22 yearly work assignment sheets which were put on the
23 shelf after completion and never used.

24 "3. The particular blueprint prepared by my
25 assistants and myself pertaining to Wotje Island is

1 the same one which is in evidence before this Court as
2 prosecution exhibit 1253-C. This blueprint is not the
3 kind to be used in actual construction of buildings.
4 The Execution Plan or the plan from which actual con-
5 struction would be made consists of a different kind
6 of paper. If this blueprint had actually been the
7 one that had been used in constructing the buildings
8 on Wotje Island, the identification box in the lower
9 right hand corner would show the name of the engineer
10 actually in charge of executing the plan. I have with
11 me the type of form that is used in making actual blue-
12 prints from which construction would be made and point
13 out that in the lower right hand corner the form is
14 entirely different, as I stated before."

15 BY MR. BRANNON (Continued):

16 Q Do you have that with you now?

17 A I do.

18 MR. BRANNON: If the prosecution would care
19 to look at that, it is available; also the Tribunal.

20 A (Continuing) I have it here with me now. I can
21 present it.

22 MR. BRANNON: (Reading continued) "I did not
23 undertake the plans for construction that were actually
24 to be utilized as direct building plans. That type of
25 work was done by special personnel handling final

execution plans.

1 "In either August or September of 1941, I
2 recall that a staff officer came to my office and
3 asked for this particular map which I gave to him
4 personally. It is quite possible that this planning
5 map would be used as the basis for the construction of
6 an execution plan. It would take approximately three
7 to five months of concentrated effort to construct
8 the various buildings and projects set forth in this
9 blueprint. It will be noted that the blueprint shows
10 only the location of the objectives to be achieved
11 and not the dimensions that are actually necessary
12 for construction. The ordinary practice involved
13 would be to take this blueprint map to the Island of
14 Wotje, make a spot investigation, and then return and
15 commence the drafting of the actual execution plan.

17 "5. From viewing the blueprint map which I
18 prepared and the aerial photographs of Wotje Island,
19 prosecution exhibits 1253-A and 1253-B, I note a dis-
20 crepancy in the outlines of the airfield itself. It
21 is also impossible for me to tell from looking at the
22 aerial photograph what the various constructions con-
23 sist of. While I am not an expert in the matter of
24 reading aerial photographs, I must say that I cannot
25 identify the items mentioned on the blueprint map as
being those in the photograph."

1 Mr. President, he has with him another form
2 or piece of paper which the defense contends is usually
3 used in construction work of this kind. I did not offer
4 it in evidence or attempt to distribute it for the reason
5 that I will do so only if his credibility is attacked on
6 that point.

7 You may examine.

8 THE PRESIDENT: Brigadier Quilliam.

9 BRIGADIER QUILLIAM: There will be no cross-
10 examination, if it please your Honor.

11 THE PRESIDENT: The witness is released on
12 the usual terms.

13 (Whereupon the witness was excused.)

14 - - -

15 MR. BRANNON: At this time, I call the Tri-
16 bunal's attention to prosecution exhibit No. 1253-A
17 which consists of an explanation of the American Naval
18 officer who compared the blueprint of Wotje Island with
19 the Aerial Reconnaissance photograph. Exhibits 1253-A,
20 B, and C, I believe, are identical. If the Tribunal
21 will turn to page 4 of exhibit 1253-A, I wish to refer
22 to one paragraph thereon, the third paragraph starting
23 with the words, "Several gun positions." I read as
24 follows: "Several gun positions (notably the northern
25 three gun dual-purpose battery) are in slightly --"

THE MONITOR: Mr. Brannon, we do not have

1 the exhibit referred to, 1253-A, so we will have to
2 do it on relay.

3 MR. BRANNON: All right.

4 THE PRESIDENT: It is called exhibit No.
5 1253-A, and it is on page 4 of that. It is defense
6 document 6245-A --

7 MR. BRANNON: Prosecution document.

8 THE PRESIDENT: -- prosecution document 6245-A.
9 It is sufficient to refer it to us. We don't
10 want this delay.

11 MR. BRANNON: I referred simply to this --
12 this has not yet been read into the record by the
13 prosecution.

14 THE PRESIDENT: Read it now.

15 MR. BRANNON: The words in that paragraph,
16 "thus confirming the supposition that the map shows
17 proposed positions," is the thought that we call to
18 the Court's attention.

19 We call the Tribunal's attention to prose-
20 cution exhibit 884, the alleged statement of one
21 Makoto WAKAMATSU, Japanese national, relative to state-
22 ments concerning Saipan and request that this state-
23 ment be kept in readiness for his testimony which is
24 now to follow.

25 We call the witness WAKAMATSU.

1 M A K O T O W A K A M A T S U, called as a witness
2 on behalf of the defense, being first duly sworn,
3 testified through Japanese interpreters as follows:

4 DIRECT EXAMINATION

5 BY MR. BRANNON:

6 Q Will the witness please state his name and
7 address?

8 A My name is WAKAMATSU Makoto; my address is
9 774 Karuizawa, Karuisawa-Machi, Nagano Prefecture.

10 Q Will the witness please be handed defense
11 document No. 1728? Will you state whether that is
12 your affidavit?

13 (Whereupon, a document was handed
14 to the witness.)

15 A It is mine.

16 Q And, is it true and correct?

17 A It is correct.

18 MR. BRANNON: I offer in evidence defense
19 document No. 1728, the affidavit of Makoto WAKAMATSU.

20 THE PRESIDENT: Admitted on the usual terms.

21 CLERK OF THE COURT: Defense document 1728
22 will receive exhibit No. 2998.

23 (Whereupon, the document above
24 referred to was marked defense exhibit
25 No. 2998 and received in evidence.)

1 THE PRESIDENT: It is a long affidavit, and
2 we will not complete it before the time for adjourn-
3 ment.

4 We will adjourn now until half past nine
5 tomorrow morning.

6 (Whereupon, at 1555, an adjournment
7 was taken until Friday, 22 August 1947, at
8 0930.)

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